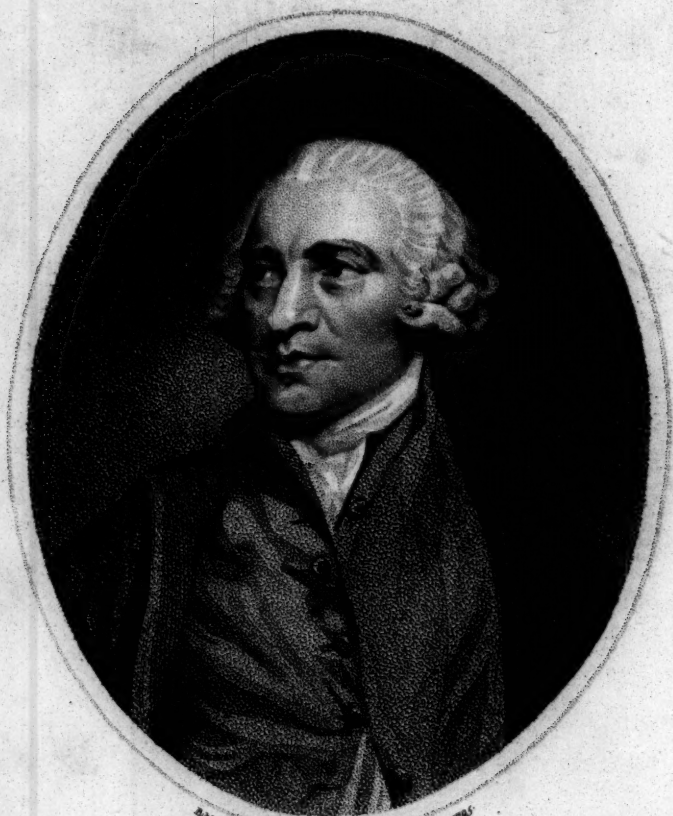
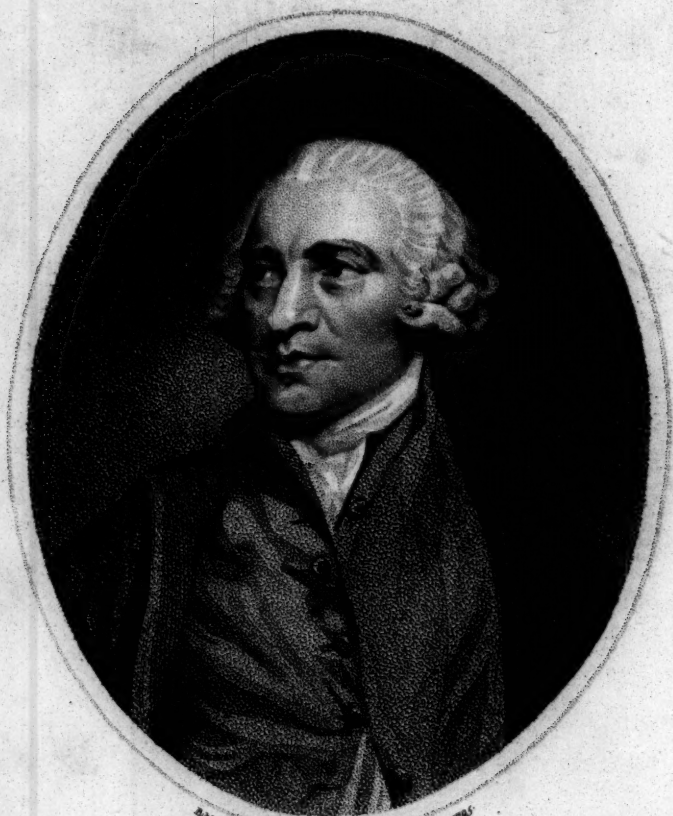




Engraved by L. Chapman, 141, Fleet Street July 18-1795



Right Hon. Henry Dundas.



Engraved by L. Chapman, 141, Fleet Street July 18-1795



Right Hon. Henry Dundas.

AN
IMPARTIAL REPORT
OF THE
DEBATES

THAT OCCUR IN THE
TWO HOUSES OF PARLIAMENT,

In the Course of the Fifth Session of the Seventeenth Parliament
of Great Britain, called to meet at Westminster, on
Tuesday the 30th of December 1794.

WITH
SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,
AND
NOTES AND ILLUSTRATIONS.

INCLUDING COPIES OF ALL
STATE PAPERS, TREATIES, CONVENTIONS, &c.

By *WILLIAM WOODFALL*,
AND ASSISTANTS.

VOL. III.

Being the SECOND SESSION of DEBATES written and published
by the REPORTER.

LONDON:
PRINTED FOR T. CHAPMAN, No. 151, FLEET-STREET.

1795.

THE TRIAL REPORT

OF THE

DEBATES

IN THE HOUSE OF COMMONS

ON THE 11th OF JANUARY 1851

IN THE DEBATE ON THE

RESOLUTION PASSED BY THE HOUSE

ON THE 11th OF JANUARY 1851

RELATIVE TO THE

PROPOSED AMENDMENT TO THE

ACT RELATIVE TO THE

REGISTRATION OF VOTERS

IN THE HOUSE OF COMMONS

ON THE 11th OF JANUARY 1851

BY MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

AND MR. STANLEY

C O N T E N T S

OF

THE THIRD VOLUME

OF

THE SECOND SESSION OF

Woodfall's Parliamentary Reports.

HOUSE OF COMMONS.

Wednesday, April 1, 1795.

SUBALTERNs IN THE MILITIA	Page 1
Speech of General Tarleton	<i>ib.</i>
— Mr. Windham	<i>ib.</i>
— Col. Bastard	<i>ib.</i>
— Mr. Pitt	<i>ib.</i>
— The Speaker	<i>ib.</i>

Thursday, April 9.

NOTICES by Mr. Sec. Dundas, relative to Mr. HASTINGS and the PRINCE of WALES'S MARRIAGE	2
---	---

Friday, April 10.

MOTION by Mr. Ryder, respecting A BILL to INDEMNIFY GOVERNORS, &c. in the WEST INDIES for having permitted Goods to be IMPORTED in FOREIGN BOTTOMS	3
MOTION by Mr. Pitt to address his MAJESTY on the PRINCE of WALES'S MARRIAGE	<i>ib.</i>
THANKS OF THE HOUSE to Admiral Hotham, Vice Admiral Goodall, Sir H. Parker, and Rear Admiral Lindfay	4
Speech of Mr. Sec. Dundas	<i>ib.</i>
— Gen. Smith	<i>ib.</i>
BREACH OF PRIVILEGE, RELATIVE TO FRANKING LETTERS	<i>ib.</i>
Speech of Gen. Tarleton	<i>ib.</i> 5, 9
— Sir B. Hammet	5
— Mr. Ryder	6
— Mr. Grey	<i>ib.</i>
— Mr. Ald. Newnham	7
— Mr. Crickett	8
— Lord W. Ruffel	<i>ib.</i>
— Sir R. P. Arden	<i>ib.</i>
— Mr. Joddrell	9

Monday, April 13.

BILL FOR WIDENING LONDON THROUGH TEMPLE BAR read a second time, &c. &c.	Page 12
FRANKING	<i>ib.</i>
Speech of Mr. Dent	<i>ib.</i>
— Mr. Long	13, 15
— Gen. Smith	<i>ib.</i>
— Mr. I. H. Browne	13
— Mr. Mainwaring	<i>ib.</i>
— Mr. Porter	<i>ib.</i> 14
— Capt. Berkeley	<i>ib.</i>
— Mr. Windham	<i>ib.</i> 16
— Mr. Courtenay	14
— Gen. Tarleton	15
ABUSE OF FRANKING IN PUBLIC OFFICES	16
Speech of Mr. Dent	<i>ib.</i> 18
— Mr. Long	16
— Mr. Courtenay	17
— Mr. Bouverie	<i>ib.</i>
— Mr. Wilmot	<i>ib.</i>
— Captain Berkeley	<i>ib.</i>
— Mr. W. Smith	18
— Mr. I. H. Browne	<i>ib.</i>
— Mr. Porter	<i>ib.</i>

Tuesday, April 14.

CONTROVERTED ELECTIONS	23
Speech of Mr. T. Grenville	<i>ib.</i>
— Mr. Baker	24
— Mr. Fox	<i>ib.</i>
— Mr. Ryder	<i>ib.</i>
— Mr. M. A. Taylor	<i>ib.</i>
— Mr. S. Douglas	25
CONGRATULATORY ADDRESS TO HIS MAJESTY	<i>ib.</i>
Speech of Lord Parker	<i>ib.</i>
MOTION FOR A MONUMENT TO CAPT. FAULKNER	<i>ib.</i>
Speech of Gen. Smith	<i>ib.</i> 34

Speech of Mr. Grey	Page 26	Speech of Gen. Macleod	Page 66
— Mr. Windham	27, 29, 31	DUTCH PROPERTY BILL	ib.
— Mr. Fox	28, 29	Speech of Mr. Ryder	ib.
— Mr. Ryder	28	— Gen. Macleod	ib.
— Sir W. Pulteney	ib. 32	ROYAL CORPS OF ARTILLERY, and	
— Mr. Wilberforce	29	MILITIA	67
— Gen. Tarleton	32	Speech of Mr. Pitt	ib.
— Sir J. Mitford	ib.	— Gen. Macleod	ib.
— Mr. Courtenay	ib.	DEAD BODY BILL	ib.
— Gen. Bruce	33	Speech of Sir J. Frederick	ib.
— Mr. M. Robinson	ib.	— Mr. M. A. Taylor	68
— Mr. Lechmere	ib.	Friday, April 24.	
Wednesday, April 15.		PRICE OF PROVISIONS	73
FRIENDLY SOCIETIES	34	Speech of Mr. Erskine	ib.
Speech of Mr. Roſe	ib.	MR. GRENVILLE'S ELECTION COM-	
Friday, April 17.		MITTEE BILL	ib.
ANSWERS OF HIS AND HER MAJESTY,		Speech of Mr. Fox	ib. 74
to the reſpective ADDRESSES on the		— Mr. T. Grenville	73
MARRIAGE of the PRINCE OF WALES		— Mr. Francis	74
	36	— Mr. S. Douglas	ib.
EXCHANGE OF PRISONERS	ib.	— Mr. Powys	ib.
Speech of Mr. M. Robinson	ib.	— Mr. Huſſey	ib.
— Mr. Sec. Dundas	ib.	— Mr. Pitt	ib.
FRANKING	ib.	— The Speaker	ib.
Speech of Mr. Porter	ib.	EARL FITZWILLIAM	75
SUPPLY	ib.	Speech of Lord Milton	ib.
Speech of Mr. M. A. Taylor	37, 38	— Mr. Pitt	ib.
— Mr. Roſe	ib. ib.	— Mr. Jekyll	ib.
— Mr. Sec. Dundas	37	SOLDIERS AND INNKEEPERS	76
— Mr. Fox	ib. 38	Bill preſented by Mr. Windham	ib.
SCOTCH QUOTA BILL	ib.	VETERINARY COLLEGE	ib.
Speech of Gen. Macleod	ib. 39	Speech of Mr. Sumner	ib.
— Mr. Dundas	ib.	— Mr. Powys	ib. 77
— Mr. Courtenay	ib.	— Mr. Pitt	ib.
Monday, April 20.		ESTABLISHMENT OF THE PRINCE OF	
MOTION by Mr. Huſſey, relative to		WALES, and PROVISION FOR HIS	
the LOAN	41	DEBTS	78
LAND AND MALT TAX	ib.	The Speaker reads His MAJESTY'S	
Speech of Mr. Huſſey	ib.	MESSAGE	ib.
— Mr. Pitt	ib.	Speech of Col. Stanley	80
— Gen. Smith	42	— The Speaker	ib.
— Mr. Fox	ib.	— Mr. Pitt	ib. 84, 86, 88
NOTICE of MOTIONS by Mr. Halhed		— Mr. Grey	82
relative to MR. BROTHERS	ib.	— Mr. Curwen	84
Tuesday, April 21.		— Mr. Powys	ib.
IMPEACHMENT OF WARREN HAST-		— Mr. Montague	85
INGS, Eſq.	ib.	— Mr. Sumner	86
Speech of Mr. Fox	43	— Mr. Buxton	37, 88
MANNING THE NAVY	44	— Gen. Smith	87
Speech of Mr. Pitt	ib.	— Mr. Martin	89
PETITION FOR PEACE	45	ADDITIONAL ALLOWANCE TO NON-	
Speech of Mr. Grey	ib.	COMMISSIONED OFFICERS AND	
RICHARD BROTHERS	ib.	PRIVATES	ib.
Speech of Mr. Halhed	ib.	Speech of Gen. Macleod	ib.
— The Speaker	51	— Mr. Windham	ib.
MOTION FOR PEACE	ib.	Sir CHARLES GREY and Sir JOHN	
Speech of Mr. Wilberforce	ib.	JERVIS	107
— Mr. Eſte	52	Speech of Mr. Barham	ib.
Thursday, April 23.		— Mr. Grey	ib.
INNKEEPERS AND SOLDIERS	65	ELECTION COMMITTEE BILL	115
Speech of Mr. Windham	ib. 66	Speech of Mr. T. Grenville	ib.
		CAPT. FAULKNER	116
		Speech	

CONTENTS.

Speech of Gen. Smith	Page 116	Speech of Mr. M. Robinson	Page 217
NUMBER OF TROOPS IN GREAT		Col. Macleod	ib. 252
BRITAIN	ib.	Mr. Mainwaring	217
Speech of Gen. Macleod	ib.	Mr. Montague	232
Mr. Windham	ib.	Mr. Lambton	ib.
Col. Maitland	ib.	Mr. Curwen	213
Mr. Fox	ib.	Mr. Ald. Newnham	235
INNKEEPERS	ib.	Mr. Burdon	236
Speech of Mr. Windham	ib.	Mr. Wilberforce	245
Mr. Plomer	117	Mr. York	250
Capt. Berkeley	ib.	Mr. Powys	ib.
RECALL OF THE LORD LIEUTENANT		Mr. Buxton	ib.
OF IRELAND	118	Mr. Este	351
Speech of Mr. Jekyll	ib.	Mr. Banks	ib.
Monday, May 4.		Mr. M. A. Taylor	ib.
WEST INDIA ISLANDS	121	Mr. R. Smith	ib.
Mr. Lushington presents a PETITION		Friday, May 15.	
respecting them	ib.	SIR CHARLES GREY AND SIR JOHN	
AUSTRIAN LOAN	ib.	JERVIS	252
MOTION relative thereto by Mr. Fox	ib.	Speech of Mr. Barham	ib. 253
SIR CHARLES GREY AND SIR JOHN		Mr. Grey	ib. i.
JERVIS	ib.	PRINCE OF WALES'S ESTABLISHMENT	
Speech of Mr. Barham	ib. 132	AND DEBTS	ib.
Mr. Manning	123	Speech of Mr. M. A. Taylor	ib.
Mr. Sec. Dundas	124, 132	Col. Stanley	254
Mr. Fox	126, 136	Mr. Curwen	ib.
Mr. Pitt	127	Mr. Jolliffe	ib.
Col. Maitland	ib.	Mr. H. Browne	256
Sir W. Young	128	Gen. Tarleton	ib.
Mr. Grey	129, 134, 136	Mr. Whitbread	ib. 257
Mr. Thelluson	131	Mr. Pitt	ib.
Mr. Lushington	ib. 135	Mr. Grey	ib.
Sir W. Scott	132	Mr. Hussey	ib.
Mr. Francis	133	Monday, May 18.	
Mr. A. St. John	135	ADDITIONAL ALLOWANCE TO SOL-	
Mr. Jekyll	ib.	DIERS	258
Sir J. Scott	136	Speech of Gen. Macleod	ib. 272
Friday, May 8.		Mr. Courtenay	262
HIGH PRICE OF PROVISIONS	198	Mr. Windham	264
Speech of Mr. Jekyll	ib.	Mr. Fox	265
Mr. Sec. Dundas	199	Mr. Pitt	ib. 267
THE PRINCE OF WALES'S DEBTS	ib.	Gen. Smith	266, 267
Speech of Mr. Hussey	ib. 200	Mr. Martin	ib.
Mr. Pitt	ib.	Gen. Tarleton	ib.
Thursday, May 14.		Mr. M. Robinson	268
TRADE TO AND FROM INDIA	214	Mr. Steele	ib.
Speech of Mr. Sec. Dundas	ib.	Mr. Grey	ib.
TROOPS FROM THE CONTINENT	ib.	Mr. Francis	269
MOTION relative thereto by Col.		Sir J. Mitford	271
Maitland	ib.	Mr. East	ib.
HIS MAJESTY'S MESSAGE ON THE		Sir H. Mann	ib.
PRINCE'S ESTABLISHMENT	ib.	Sir W. Pulteney	272
Speech of Mr. Pitt	ib. 213, 218	Tuesday, May 19.	
Mr. Hussey	212, 213, 251	RECALL OF EARL FITZWILLIAM	ib.
Mr. Fox	216, 217, 238, 249	Speech of Mr. Jekyll	ib. 308
Mr. East	216	Sir W. Milner	282
Mr. Grey	217, 225	Mr. Powys	ib.
Mr. Ryder	217	Mr. Fox	283
Mr. W. Smith	ib. 236	Mr. Pitt	293
Mr. Martin	217	Mr. M. Robinson	301
		Lord Milton	ib.
		Speech	

Speech of Mr. (Orde) Pawlett Page 302	Speech of Mr. Anstruther Page 378, 389
— Mr. S. Douglas 303	— Mr. Pitt 378, 324, 398, 400
— Mr. Grey 305	— Mr. Duncombe 380
— Mr. Serjeant Adair 307	— Mr. Curwen 381
— <i>Wednesday, May 20:</i>	— Mr. Grey <i>ib.</i> 397
ABUSES OF FRANKING 309	— Mr. Sec. Dundas 384
Speech of Mr. Dent <i>ib.</i> 312	— Mr. Montague 385
— Mr. Long 309, 310, 312	— Mr. Powys <i>ib.</i>
— Mr. W. Dundas 309, 312	— Mr. Fox 387, 394, 398
— Mr. W. Smith 310	— Mr. Balford 390
— The Speaker 311	— Mr. Whitbread 391
— Sir W. Pulteney 312	— Mr. H. Browne 392
— <i>Friday, May 22.</i>	— Mr. Lambton <i>ib.</i>
MOTION FOR PEACE 321	— Mr. Buxton 393
Speech of Mr. Wilberforce <i>ib.</i>	— Lord W. Russell <i>ib.</i>
— Mr. Coke <i>ib.</i>	— Mr. Bouverie <i>ib.</i> 394
IMPERIAL LOAN <i>ib.</i>	— Mr. W. Smith <i>ib.</i>
Speech of Mr. Sec. Dundas <i>ib.</i>	— Mr. Francis <i>ib.</i>
— Mr. Pitt <i>ib.</i>	— Sir J. Call 395
ADDITIONAL PAY TO SUBALTERN OFFICERS 322	— Mr. Wilberforce <i>ib.</i>
Speech of Mr. Porter <i>ib.</i> 323	— Mr. M. Robinson <i>ib.</i>
— Mr. Windham 322	— Sir R. P. Arden 396
— Gen. Tarleton <i>ib.</i>	— Mr. Burdon <i>ib.</i>
— Mr. Pitt 323	— Mr. Sturt <i>ib.</i>
— Sir W. Pulteney <i>ib.</i>	— Sir W. Dolben <i>ib.</i>
— <i>Wednesday, May 27.</i>	— Mr. Banks <i>ib.</i>
MOTION FOR PEACE 325	— Mr. Sumner 397
Speech of Mr. Wilberforce <i>ib.</i> 364	— Mr. Martin 398
— Mr. Duncombe 336	— Mr. Sheridan 399, 400
— Mr. Windham 337	LIST OF THE MINORITY on Mr.
— Sir B. Hammet 348	SUMNER'S AMENDMENT on the
— Mr. Fox <i>ib.</i>	preceding Question 401
— Mr. Pitt 356	<i>Tuesday, June 2.</i>
LIST OF THE MINORITY on the	CONDUCT OF SIR CHARLES GREY AND
preceding Question 366	SIR JOHN JERVIS 402
— <i>Thursday, May 28.</i>	MR. MALESPIÑE'S AFFIDAVIT <i>ib.</i>
PRINCE OF WALES'S DEBTS 367	Speech of Mr. Grey <i>ib.</i>
Speech of Mr. Pitt <i>ib.</i> 369	— Sir W. Young 403
— Mr. Fox 367	— Mr. C. Dundas <i>ib.</i>
— Mr. Ryder <i>ib.</i>	— Sir W. Scott 404
— Mr. Powys <i>ib.</i>	— Mr. Barham <i>ib.</i>
— Mr. Grey 368	— Mr. Sheridan <i>ib.</i>
— Mr. Curwen <i>ib.</i>	— Mr. Thelluson <i>ib.</i>
IMPERIAL LOAN 369	— Mr. Joddrell <i>ib.</i>
Speech of Mr. Pitt <i>ib.</i> 375, 376	— Mr. Fox <i>ib.</i>
— Mr. Fox 371	— Mr. Ald. Lushington 405
— Mr. M. Robinson 375	— Mr. Whitbread <i>ib.</i>
— Mr. Hussey <i>ib.</i>	— Mr. Pitt <i>ib.</i>
— Mr. W. Smith <i>ib.</i> 376	THE NAVY <i>ib.</i>
— Mr. Jenkinson 375	Speech of Mr. Sec. Dundas <i>ib.</i>
— Mr. Joddrell 376	— Col. Maitland 406
— <i>Monday, June 1.</i>	— Mr. Windham <i>ib.</i>
WOOLCOMBERS <i>ib.</i>	— Gen. Smith <i>ib.</i>
Speech of Mr. Ryder <i>ib.</i>	— Col. Rolle 407
HAWKERS AND PEDLARS 377	— Mr. Jekyll <i>ib.</i>
Speech of Col. Stanley <i>ib.</i>	— Gen. Macleod <i>ib.</i>
— Mr. Long <i>ib.</i>	SIR CHARLES GREY AND SIR JOHN
MESSAGE FROM THE PRINCE OF	JERVIS <i>ib.</i>
WALES 378	Speech of Mr. Barham <i>ib.</i> 423, 438
	— Mr. Manning 416, 426
	— Mr. Grey 418, 423, 437, 438
	Speech

CONTENTS.

vii

Speech of The Speaker	Page 423
— Mr. Sec. Dundas	426, 438, 439
— Sir W. Scott	431
— Mr. C. Dundas	432
— Sir W. Young	433, 439
— Mr. East	433
— Col. Wood	ib.
— Mr. Sheridan	436
— Mr. Ald. Luffington	437
— Mr. Fox	ib.
— Gen. Smith	438
— Mr. W. Smith	ib.

LIST OF THE MINORITY on the preceding Question 439

PRINCE AND PRINCESS OF WALES *ib.*
Bill for granting them an Annuity, brought in by Mr. Pitt *ib.*

Wednesday, June 3.

PRINCE OF WALES'S ESTABLISHMENT

Speech of Mr. Grey	440
— IMPERIAL LOAN	ib.
Speech of Mr. W. Smith	441, 447
— Mr. M. Robinson	443
— The Speaker	ib.
— Mr. Fox	ib. 447, 448
— Mr. Pitt	445, 449
— Gen. Smith	447
— Mr. Hussey	448

WARREN HASTINGS, ESQ. 449
Speech of Mr. M. A. Taylor *ib.*
— Mr. Sec. Dundas *ib.*

DUTCHY OF CORNWALL 450
Speech of Gen. Smith *ib.*
DEAD BODY BILL *ib.*
Speech of Mr. Mainwaring *ib.*
— Mr. Joddrell *ib.*

Friday, June 5.

GEN. DUNDAS	481
Speech of Mr. Sec. Dundas	482
— Mr. Manning	483
— General Tarleton	ib.
— Mr. Wilberforce	ib. 484
— Mr. Cawthorne	ib.
— The Speaker	ib.
— Col. Maitland	ib.
— Mr. M. Robinson	ib.
— Mr. Grey	ib.
— Sir C. Dundas	ib.

PROCEEDS OF THE DUTCHY OF CORNWALL *ib.*

Speech of Mr. Pitt	ib.
— Gen. Smith	485
— Col. Rolle	ib.
— Sir C. Dundas	ib.

PRINCE OF WALES'S DEBTS *ib.*

Speech of Mr. Pitt	ib. 486, 487, 491, 509, 510
— Mr. Powys	486
— Gen. Smith	ib.
— Mr. Anstruther	487, 507
— Sir W. Milner	487, 492

Speech of Mr. Sheridan	Page 487, 494, 509, 510
— Sir W. Young	488, 508
— Mr. Fox	488, 506
— Mr. Powys	490
— Mr. Jekyll	491
— Mr. Ald. Newnham	492, 508
— Sir J. Scott	493
— Mr. Sec. Dundas	503
— Mr. Banks	505
— Mr. W. Smith	507
— Mr. Grey	508
— Mr. Wilberforce	ib.
— Mr. Balford	509
— Mr. Milbank	510
— Mr. Sturt	ib.

HOUSE OF LORDS.

Monday, April 13.

VICTORY IN THE MEDITERRANEAN

Speech of Earl Spencer	10
— Earl of Lauderdale	ib.

CONGRATULATION OF HIS MAJESTY ON THE MARRIAGE OF THE PRINCE AND PRINCESS OF WALES *ib.*

Speech of the Earl of Mansfield *ib.*

Tuesday, April 14.

THANKS TO VICE ADMIRAL HOTHAM, &c.

Speech of Earl Spencer	ib. 21, 22
— The Earl of Lauderdale	20, 21

Friday April 17.

HIS MAJESTY'S ANSWER TO THE ADDRESS 35

Speech of the Earl of Mansfield *ib.*

Monday, April 20.

INSOLVENT DEBTORS BILL 40

Speech of Lord Kenyon *ib.*

— The Earl of Moira *ib.*

HAIR POWDER BILL *ib.*

Speech of the Duke of Norfolk *ib.*

Thursday, April 23.

HAIR POWDER BILL 52

Speech of the Duke of Norfolk *ib.* 57.

— Lord Chancellor 60, 63

— Duke of Leeds 53, 58, 65

— Earl of Guildford *ib.* 61

— Lord Hay 55, 63

— Earl of Moira *ib. ib.* 64

— Lord Sydney 57

— Earl of Hardwicke 58

— Lord Auckland 61

Speech of Lord Mulgrave 63, 65

Friday, April 24.

RECALL OF THE LORD LIEUTENANT OF IRELAND 68

Speech of Earl Fitzwilliam *ib.* 69

— Lord Grenville *ib.*

Speech

Speech of the Earl of Moira	Page 70	Speech of the Marquis Townshend	Page 181, 189
— Duke of Norfolk	71	— Earl of Carlisle	182
HAIR POWDER BILL	72	— Lord Hawkebury	183
Speech of Lord Mulgrave	ib.	— Marquis of Buckingham	184
<i>Tuesday, April 28.</i>		— Lord Auckland	186
HAIR POWDER BILL	89	— Lord Spencer	188
Speech of the Earl of Moira	90, 93,	— Duke of Bedford	ib.
— Lord Grenville	92, 99	— Duke of Portland	ib.
— Lord Sydney	94	PROTEST of Lords Ponsonby and Fitzwilliam	ib.
— Lord Mulgrave	95, 101	<i>Tuesday, May 12.</i>	
— Lord Romney	97, 99	FIELD MARSHAL CONWAY'S BILL, FOR A PROLONGATION OF HIS PATENT FOR SAVING FUEL IN THE OPERATION OF MANY IMPORTANT MANUFACTURES	202
— Earl of Guildford	98	Speech of the Earl of Guildford	ib. 211
— Bishop of Rochester	ib. 103	— Lord Auckland	202, 212
— Duke of Richmond	100, 102	— Lord Harrowby	205
— Lord Chancellor	103	— The Lord Chancellor	206, 219
— Lord Auckland	106	— Duke of Richmond	209
<i>Thursday, April 30.</i>		— Lord Hawkebury	211
PETITION FROM INSOLVENT DEBTORS	108	— Earl of Carlisle	212
Speech of the Earl of Moira	ib.	<i>Friday, May 22.</i>	
ABUSE OF FRANKING	109	MILITIA ARTILLERY BILL	313
Speech of Lord Sydney	ib.	Speech of the Earl of Radnor	ib. 320
PRINCE OF WALES'S DEBTS	110	— Lord Grenville	313
Speech of the Duke of Grafton	ib. 112	— Marquis Townshend	316
— Lord Grenville	111	— Lord Romney	ib.
FEES IN THE SECRETARY OF STATE'S OFFICE	112	— Earl Spencer	317, 320
Speech of the Earl of Lauderdale	ib. 113	— Earl of Hardwicke	317
— Lord Grenville	ib.	— Marquis of Buckingham	ib. 319
RECALL OF THE LORD LIEUTENANT OF IRELAND	ib.	— Lord Mulgrave	ib.
Speech of the Earl of Guildford	ib. 115	PROTEST of Lord Radnor	311
— Duke of Norfolk	114, 115	<i>Wednesday, May 27.</i>	
— Earl of Moira	114	MILITIA ARTILLERY BILL	323
— Lord Grenville	115	Speech of the Earl of Radnor	ib.
— Earl of Lauderdale	ib.	— Duke of Norfolk	324
<i>Friday, May 1.</i>		— Lord Grenville	ib.
PRINCE OF WALES'S DEBTS	118	<i>Friday, June 5.</i>	
Speech of Lord Grenville	ib. 120	PEACE	451
— Earl of Guildford	119	Speech of the Earl of Lauderdale	ib. 476,
<i>Friday, May 8.</i>		— Lord Grenville	480
FEES OF THE SECRETARY OF STATE'S OFFICE	138	— The Earl of Guildford	474
Speech of the Earl of Lauderdale	ib.	— Lord Mulgrave	475
— Lord Grenville	ib. 139		
RECALL OF EARL FITZ WILLIAM	ib.		
Speech of the Duke of Norfolk	ib. 153		
— Earl of Coventry	146		
— Earl Fitzwilliam	147, 169		
— Earl of Mansfield	ib.		
— Earl of Guildford	150		
— Lord Sydney	152		
— Duke of Leeds	153, 177		
— Earl of Caernarvon	155		
— Earl of Moira	157, 160, 168		
— Lord Romney	160		
— Earl of Westmoreland	162		
— Lord Grenville	174		
— Earl of Lauderdale	178, 182, 183, 184		

APPENDIX.

CONVENTION between his BRITANNIC MAJESTY and the EMPEROR, signed at Vienna May 4th, 1795	519
An Account of the several SUMS paid from the REVENUES of the DUTCHY of CORNWALL during the MINORITY of the PRINCE of WALES	526
Papers presented to the House of Commons, relative to Sir CHARLES GREY and Sir JOHN Jervis	527—592

WOODFALL'S

PARLIAMENTARY REPORTS.

HOUSE OF COMMONS.

WEDNESDAY, APRIL 1, 1795.

A MESSAGE was received from the Lords, stating that their Lordships had agreed to the American Intercourse Bill, and the Norfolk Island Judicature Bill, and several other public and private Bills.

Sir Watkin Lewes presented a Bill for widening and improving the avenues to the City by Temple Bar, &c.

The Chancellor of the Exchequer moved for leave to bring in a Bill for the purpose of augmenting the Royal Corps of Artillery, and providing seafaring men, from privates serving in the militia. The Bill was brought in and read a first time.

The Secretary at War brought up several accounts, which were ordered to be laid on the table.

The Chancellor of the Exchequer moved, that the House at rising adjourn till Thursday the 9th instant.

SUBALTERNS IN THE MILITIA.

The Order of the Day was read, for reading a second time, the Bill for granting a certain allowance to subaltern officers in the militia.

General Tarleton asked, whether there was in the printed Bill the clause that was in the written Bill, relative to officers in fencible regiments.

The Secretary at War said, that such a clause could not be inserted in the Bill, except in the Committee or on the report.

Colonel Bastard said, that a very great difference would be produced by the omission of the clause. If it were omitted, it would thin the ranks of subalterns; if it were inserted, it would fill them.

The Chancellor of the Exchequer said, it would be hard if officers in the militia should be debarred from serving in fencible regiments, by a provision in the Bill to prevent them from

retaining their half-pay if they did enter into fencible regiments.

The conversation was interrupted by the Speaker, who said that the discussion properly belonged to the Committee. The Bill was read a second time, and ordered to be committed for Monday se'nnight.

The Scotch Distillery Bill, the Lottery Bill, and the Bill for the farther preventing of smuggling, were read a second time, and ordered to be committed on Thursday the 9th instant.

The Vote of Credit Bill, for 2,500,000*l.* was read a first time, and ordered to be read a second time on Thursday the 9th instant.

The Bill empowering magistrates to take up vagrants for the service of his Majesty's navy, was read a third time and passed. Adjourned to the 9th instant.

HOUSE OF LORDS.

THURSDAY, *April 2.*

The House met at four o'clock, when the Powdered-Hair Bill, the London Militia Bill, the Seamen's Family Bill, &c. were read a second time, and committed for Monday se'nnight. Some private Bills were also read. After which the House adjourned until Monday se'nnight, when their Lordships are to meet again for the further transaction of business.

HOUSE OF COMMONS.

THURSDAY, *April 9.*

Mr. Secretary Dundas gave notice that he should defer to Tuesday next, the consideration of the evidence on the trial of *Mr. Hastings*; and that the next day [Friday], he should move for a congratulation on the happy event of the marriage of his Royal Highness the Prince of Wales.

The report on the Bill for raising a certain number of men in the counties in Scotland for the service of the navy, was taken into further consideration, and gone through.

The Bill for allowing to his Majesty two millions and a half for the extraordinary expences of the present year, was read a second time, and ordered to be committed next day.

The report of the British Fishery Bill was brought up, read, and agreed to, and the Bill was ordered to be read a third time on Monday, if then engrossed.

The

The Bill for providing for the pay and clothing of the militia passed the Committee, and the report was ordered to be received the next day.

The Bill to indemnify those who have omitted to qualify themselves as by law required in certain cases, was read a second time, and ordered to be committed.

The House agreed to go into a Committee of the whole House next day on the Lottery Bill.

A return was brought up from the Post-office, of the names of such Members as were disabled by bodily infirmity, and had allowed others to frank letters in their names.—Ordered to be laid on the table.

Mr. Ryder moved, that the House do to-morrow resolve itself into a Committee of the whole House, to consider of a mode to indemnify Governors, &c. who had permitted the importation of goods in foreign bottoms.—Ordered, Adjourned.

HOUSE OF COMMONS.

FRIDAY, *April 10.*

Mr. Ryder moved for leave to bring in a Bill to indemnify Governors, Lieutenant-Governors, &c. in the West India islands, for having permitted the importation of goods in foreign bottoms.—Granted.

The Chancellor of the Exchequer moved, "That an humble Address be presented to his Majesty, to congratulate his Majesty on the nuptials of his Royal Highness the Prince of Wales, and to express the cordial satisfaction which his faithful Commons feel on an event, which promises to gratify the wishes of his Majesty's faithful subjects by augmenting the domestic felicity of his Majesty's illustrious family, and by affording additional security for the enjoyment of the blessings experienced under the auspicious government of the House of Brunswick."—Agreed to *nem. con.*

A Committee was then appointed to prepare the Address, who retired, and in a few minutes returned with the Address, which was an echo to the words of the motion.

The same Address was voted to be presented to the Queen.

Another also to their Royal Highnesses the Prince and Princess of Wales; and different Members of the House, who are of the Privy Council, were ordered to attend their Majesties and their Royal Highnesses with these Addresses on this joyful occasion.

Mr. Secretary Dundas rose to move the thanks of the House to Admiral Hotham for his meritorious conduct in the Mediterranean. He observed, that although the victory which the gallant Admiral had obtained over the enemy, was not to be compared in point of advantage to us, to that which was obtained on the first of June, yet it manifested the British character as well, for it added, in a signal instance, to the superiority of the British arms. While he felt this, he was bound to attribute much to the skill and bravery of the gallant officer under whose command this victory had been obtained; for by his management of the fleet, he compelled the enemy to come to an action, which they wished to avoid. Having specified a few particulars, he observed that such conduct ought to be brought before the Public, in order to receive the thanks of the Public; and the most regular way to accomplish that object, was to vote to the victors the thanks of the House. He therefore moved, "That the thanks of the House be given to Vice-Admiral Hotham for his late meritorious exertions in the command of his Majesty's fleet stationed in the Mediterranean."—Carried *nem. con.*

He then moved the same vote of thanks to Vice-Admiral Goodall, Sir Hyde Parker, and Rear-Admiral Lindsay.

The question being put,

General Smith said, he agreed as heartily as any man in the House, to the vote of thanks proposed to the brave officers who had so essentially served their country: But he rose chiefly to say he was astonished that no notice had been taken of the conduct of Captain Faulknor, who had behaved as gallantly as any officer ever did in the service. He read the testimonies of the different commanders, as recorded in the Gazette, bestowing the highest praise on Captain Faulknor for skill and courage. He thought that a public monument ought to be erected to the memory of this brave officer. And if it was left to be done by the subscriptions of individuals, it would be a disgrace to the House of Commons, for it ought to be at the expence of the Public.

The question on the motion of *Mr. Secretary Dundas*, was put and carried *nem. con.*

Mr. Secretary Dundas moved, that this House doth acknowledge and approve the meritorious conduct of the officers, seamen, and marines under the command of Admiral Hotham, in the late action with the French fleet.—Carried *nem. con.*

BREACH OF PRIVILEGE RELATIVE TO FRANKING LETTERS.

General Tarleton moved the Order of the Day, which was for the attendance of Sir Benjamin Hammet,

The

The General desired that the Order of the House, relative to franking of letters, by Members of that House, be read; which being done,

He next desired that the papers presented to the House from the Post-office, relative to the franking of letters, by order of Members who are disabled by bodily infirmity, from writing the whole superscription of letters themselves, be read; which was done. It appeared, that search having been made at the Post-office for the authority by which John Hammet, Esq. had franked letters in the name of Sir B. Hammet, it could not be found, but it was supposed by the Post-master General, that it was lost in removing papers belonging to the office.

General Tarleton observed, that it was apparent the Hon. Member whose conduct was the cause of his motion, had abused the privilege of franking. That was the charge which was now exhibited against him. He was happy to see the Hon. Member now so far relieved from his bodily infirmity as to be able to attend the House to give an account of his conduct. He was now capable of performing every function of a Member of Parliament, instead of delegating any of them to his son. No doubt the House would be glad to hear him.

Sir Benjamin Hammet said that two years ago he was incapable of franking, from the state of his health: That he sent to the Post-office, and desired them to send him the form of the notice appointing a person to frank in his stead. He, in consequence of this, at that time, appointed his son. He had since enjoyed several intervals of health, but had never been in so confirmed a state, as afforded him the prospect of being able to resume the exercise of his privilege for any length of time. He pledged himself that during all that period, he had never once franked with his own hand. He admitted that his son had sent franked letters from London when he was in the country, and had applied the privilege for purposes of business, in which he conceived himself to have been warranted by the spirit of the orders of the House. If he had committed an offence, he begged pardon of the Members. He then read two letters, one from Mr. Jones, Apothecary, in Gracechurch-street, another from Dr. Lettsom, stating that he was in such a situation of health, as disqualified him from carrying on business, and rendered it expedient for him to reside in the country. He complained of the treatment which he had met with in this business, and said that however he might appear to be well at present, such was his weakness, that had the Hon. General seen him in the morning, he might have been induced to wave his motion. He was then so much indisposed, as to be dubious whether he should be able to attend the House.

Mr.

The Hon. Dudley Ryder thought that as there was no motion before the House, the Hon. Member had no occasion to withdraw.

The Speaker stated that no motion could be made relative to any Member, in the presence of such Member.

Sir Benjamin Hammet having withdrawn; after some remarks on the order of proceeding, *General Tarleton* moved, "That it does not appear to this House that Sir Benjamin Hammet is in such a state of bodily infirmity, as to require that he should take advantage of the clause in the Act of Parliament, by which a Member is entitled to delegate the privilege of franking, and that he has delegated that trust for two years to his son."

The Hon. Dudley Ryder asked, where were the facts by which the charge contained in the resolution now proposed to the House was established? From the paper on the table it only appeared that Sir Benjamin Hammet had delegated the exercise of his privilege to another; it did not appear that when he had so delegated it, he was in a capacity of exercising it himself. The charge then was merely founded upon the idea that he had continued the delegation at a time when he was qualified to resume his privilege. The Hon. Gentleman had certainly admitted that he had enjoyed intervals of health, but that these were uncertain, and of short continuance. To make out the charge it would be necessary to prove that he had still continued to exercise his privilege, after having delegated it to his son, a circumstance which the Hon. Gentleman himself had expressly denied. As to the charge that the delegated privilege had been abused, in point of the extent to which it was carried, that merely rested upon the assertion of the Hon. General, to whose assertion he would pay as much respect as to that of any man; but it had not been substantiated by any proof, which could render it a proper subject of discussion. Upon the whole, he thought that the charge was frivolous, and that the motion ought to be dismissed as unworthy the attention of the House; he should therefore move that the other Orders of the Day be now read.

Mr. Grey said, this certainly was a question, on which, as particularly affecting an individual Member of the House, no person could speak without unpleasant sensations. At the same time the question having been started, he differed extremely from the last Right Hon. Speaker, who had proposed to dismiss it as altogether unworthy of attention. He, on the contrary, thought that if the House acted with a proper sense of their own dignity, or regard to their privileges, they were bound seriously and impartially to entertain the discussion. He however admitted, that there had not yet been produced
sufficient

sufficient evidence, upon which to ground such a resolution as had been proposed to the House by his Hon. Friend. The privilege of franking had been given to Members, not to be applied to their own individual interests, but to cover the expense of that correspondence, which they were obliged to carry on in their public capacity. It was provided, that in case of infirmity, a Member might be allowed to delegate his privilege to another, for the same purpose. But if there was ground of suspicion that a Member, not being in that state of infirmity which incapacitated him from the exercise of his privilege, had yet delegated it to another, who had applied it to an enormous extent, for commercial and other purposes, that surely was a case which called for the attention of the House. Though he therefore did not feel himself justified, from the evidence which had been produced, in assenting to the resolution of his Hon. Friend, he should however propose, that the House should go into an inquiry, in order to obtain proper documents upon the subject. If the House saw that the Hon. Member did not appear to be in that state of indisposition, which he had pleaded as the ground of his incapacity, they would, no doubt, be disposed to approve of such an inquiry. The Hon. Gentleman had produced letters from his physician and apothecary, stating that he was not in a situation of health, which qualified him to carry on business. Was the privilege of franking given to Members, to be applied to the purposes of business? He should conclude with moving that the House do now adjourn, in order to afford time for inquiry.

Mr. Alderman Newnham was of opinion, that the Hon. Member who had withdrawn had said what was sufficient to exculpate him from any censure. He had assured the House, and he doubted not the truth of that assurance, that, at the time he had delegated the power to his son to frank his letters for him, he was actually in that state of indisposition and infirmity which the Act required; and though he might have continued it longer than was necessary, yet he had done so from an idea only, that as one person only was employed to do this business, he had not offended against the privileges of the House, or the principles of the Act of Parliament. He thought the Hon. General, who brought forward the motion, had done so without any kind of evidence which ought to authorise so harsh a proceeding as that of censure: He did not even think it sufficient to ground the charge of abusing the privilege of that House upon. The Hon. Member who had withdrawn, had declared in his place, as his defence and exculpation, that he did not mean to do any thing which was
contrary

contrary to the Act of Parliament, and that he was very sorry if he had unintentionally done so. He did not think what was said of Members in trade abusing the privilege of franking, applied in general more to them than it did to Members who were Gentlemen of landed property, receiving letters from their tenants and stewards, in the remission to them of their rents, and other monies transmitted to them. A great deal had been said about the Hon. Member who had withdrawn, having delegated this privilege to his son. He believed there were many Members of that House who had frequently delegated the privileges of franking to their wives, daughters, and *other ladies* occasionally, and he saw no greater crime or offence in one case than in the other. In short, he said, it was his opinion, that the evidence was altogether so defective, that the business might fairly be said to be frivolous and trifling, and he should therefore vote for the Order of the Day.

Mr. Crickett stated, that he had known the Hon. Member who had withdrawn, and was now the subject of debate, for several years; that his health for some years past had been very precarious and uncertain, so much so as totally to prevent him at different times from the power of franking his letters. He not only said this from his own knowledge, but from hearing the same very frequently from some of the first medical characters in the kingdom, among whom he mentioned Sir W. Fordyce, Mr. Pott, and Mr. Pitcairn. This, he said, he stated as a matter of justice, which he thought it his duty to do, and not, he assured the House, from any motive of friendship or acquaintance. He should therefore give his vote for the Order of the Day.

Lord William Russell thought that the justification which had been made by Sir Benjamin Hammet, was such as proved that he had made a gross abuse of his privilege: He had delegated it to his son, in order that he might himself retire into the country.

The Master of the Rolls said, that as he had seconded the motion of his Hon. Friend for the Order of the Day, he thought it necessary to give his reasons for having done so. He by no means thought the motion of the Hon. General either frivolous or light in its importance. On the contrary, he was of opinion that he deserved the thanks of the House for having brought it forward. Nevertheless, he had thought it proper to support the motion for the Order of the Day, because he thought, that as the business stood at present, the House could not with propriety proceed further on it. The Hon. Gentleman had not produced evidence which was sufficient

ficient to ground upon it, and justify the adoption of the motion he had brought forward. At the same time he did not think the Hon. Magistrate, who had withdrawn, had altogether exculpated himself so clearly as might be wished. He had, however, assured the House, that he had not offended against the clause of the Act of Parliament intentionally; that he had consulted Gentlemen, his friends, upon the matter, and they all thought the same on that as the Hon. Magistrate himself had done. He said also, that if he had really offended against the principle of the Act of Parliament, he begged pardon of the House. The chief part of the charges alleged against the Hon. Member who was withdrawn, was, in his having continued the delegation of his privilege to frank letters to his son, during those intervals of time when his state of health did not require it. This, the Master of the Rolls apprehended, arose from a wish not to give too much trouble to the Post-office, as he knew that the returns of his indisposition were very frequent; and as it appeared from his assertion, in his exculpation, that only one person (his son) was employed in franking, he thought, that at the present moment, when the abuse, or even the power of abuse in this particular, was on the point of being effectually put a stop to, there was no occasion for the House to take any more serious notice of the matter. He was extremely glad, however, that the motion had been brought forward, as it would shew the people of this country how feelingly alive the Members of the House were to any privilege entrusted to them for the *public good*—and how very jealous of the smallest abuse of them. For the reasons he had adduced, he should support the motion for the Order of the Day.

Mr. Joddrell said, that as he should not deem it consistent with the character and dignity of the House, that an idea should go abroad that the privilege of franking, granted to the Members by the Public, for the honour and advantage of their constituents, had been diverted to other purposes, without proper animadversion, he should vote for the original motion.

General Tarleton said, that whatever might be the fate of his motion, he had gained one point, that it should go abroad in the newspapers, as sanctioned by a sort of minister (Mr. Ryder), that when a gross abuse of privilege by a Member of that House, to the great detriment of the revenue, was brought forward as a proper ground of investigation and censure, it should be treated as a frivolous and unfounded charge, which ought to be dismissed, as altogether unworthy of attention.

The question was then put upon the motion that the other Orders of the Day be now read :

<i>Ayes</i>	-	-	39
<i>Noes</i>	-	-	27

The Vote of Credit Bill went through a Committee. The Report ordered to be received on Monday.

Adjourned.

HOUSE OF LORDS.

MONDAY, April 13.

VICTORY IN THE MEDITERRANEAN.

The First Lord of the Admiralty (Earl Spencer) gave notice, that he should the next day move that the thanks of the House be voted to Vice-Admirals Hotham, Sir Hyde Parker, and Goodall, and the Captains, officers, marines, and seamen, serving under the command of Vice-Admiral Hotham, by means of whose skill and bravery the late victory was obtained over the French fleet in the Mediterranean.

The Earl of Lauderdale said, he did not rise to say any thing in objection to the intended motion, but merely to express a hope, that the Noble Earl was prepared with facts to prove that a victory had lately been obtained in the Mediterranean: Perhaps it was merely owing to want of information, but he could not help entertaining some doubt of the fact.

The First Lord of the Admiralty said, he believed it was not usual to debate a motion before it was made; he should therefore content himself with moving that the Lords be summoned for the next day.—Ordered.

CONGRATULATION OF HIS MAJESTY ON THE MARRIAGE OF THE PRINCE AND PRINCESS OF WALES.

The Earl of Mansfield, in a short, but dignified and eloquent speech, called their Lordships attention to a motion which he flattered himself would meet with the unanimous concurrence of every Noble Lord present, viz. to vote a congratulatory address to his Majesty on the happy circumstance of the nuptials of his Royal Highness the Prince of Wales with the Princess Caroline of Brunswick—an event which, as it gave hopes of a continuance of the Royal line, afforded the nation the flattering prospect of additional security for the prolongation of the many blessings it had enjoyed under the government of the august Sovereign now upon the throne of these kingdoms. Marriage was a state which his Royal Highness the

the Prince of Wales, after due consideration, had determined to enter into, from a consciousness that though it certainly added to the duties, it much enlarged the comforts of life. His Royal Highness had well weighed the consequences of such a serious change of his condition, and viewing the bright example of connubial felicity which his Royal parents held up to all their subjects, had been equally led by reason and choice to enable himself to imitate their conduct, under the assurance that a perseverance in the same steady course of mutual affection, and unceasing regard and attention to each other, would ensure to him and his illustrious consort the same continued series, of the same enviable enjoyments arising out of that substantial bliss, domestic happiness. No reasonable man, the Earl said, could contemplate the state of marriage without being convinced that it was a state in which all the amiable passions were engaged and interested in the cause of virtue and truth; the best and most essential felicities of life derived their origin from that source; it enhanced the joys, and divided the sorrows to which human nature was unavoidably liable; it diffused the blessings that resulted from it, universally, pervading the palace and the cottage alike, pouring the balm of consolation and comfort into the breast wounded by affliction, whether caused by sudden calamity and change of fortune, or the less avertible evils of personal pain or individual illness. Thoroughly persuaded of the permanent, pure, and tranquil joys that flowed from it under every circumstance of life, he felt it to be a solid ground of congratulation to his Majesty in so auspicious an event as the marriage to which he had referred; and therefore, without any longer detaining their Lordships, he would come directly to his purpose, and move that an humble address be presented to his Majesty to congratulate his Majesty on the nuptials of his Royal Highness the Prince of Wales, &c. &c. &c.

The motion was agreed to *nemine contradicente*, and a Committee was instantly appointed to draw up the proper address.

The Lords named on the Committee withdrew, and in a few minutes returned with the address, which was agreed to, and the Lords, with white staves, ordered to wait on his Majesty, and know his Majesty's pleasure, when he would be attended by that House to present the same.

The Earl of Mansfield then moved an address of congratulation to her Majesty on the same happy occasion, which was likewise agreed to *nemine dissentiente*.

His Lordship next moved a congratulatory address to their Royal Highnesses the Prince and Princess of Wales on the same joyful occasion.

Agreed to *nemine dissentiente*.

HOUSE OF COMMONS.

MONDAY, April 13.

The Bill for widening the avenue to the city of London through Temple Bar was read a second time, and ordered to be committed before a select Committee.

Mr. Byng presented a petition on behalf of the gardeners, maltsters, brewers, distillers, soap-boilers, chandlers, and other tradesmen, stating, that if the Bill now pending for the observance of the Lord's day be passed into a law, they would be materially injured in their trades, and some of them ruined.—Referred to a Committee on the Bill.

The Southern Whale Fishery Bill was read a first time, as was also the Bill for indemnifying Governors, &c. of the West India islands, who have permitted the importation of goods in foreign bottoms.

The British Fishery Bill was ordered to be read a third time this day se'nnight.

FRANKING.

Mr. Hobart brought up the report of the Franking Bill.

The amendments to the resolutions of the former Committees upon the Bill being read,

Mr. Dent said, he had great satisfaction to see Government attentive to the object of correcting abuses in the privilege of franking—abuses which had subsisted to an alarming degree. He had no objection to this Bill, but he wanted to abolish other abuses, namely, those which arose from the exercise of it by clerks in the different offices. He must, however, observe, that some of the Members of that House had abused the privilege of franking to a degree that made it shameful. He understood, that some Members had for their own emolument franked letters to a vast amount. He would suppose it to be to the number of 300. If a Member of that House had got another to assist him, who could write a better hand, and more expeditiously than himself; in that case some further information should be had from the Post-office. He would suppose another case, that a Member under the allegation of

his

his being too infirm in body to write for himself, although he might come to the House in apparent good health, should appoint another to write for him a prodigious number of letters daily for a great length of time; he would then ask, whether some further regulation than this Bill provided was not necessary to check an evil on which the Public with some reason cried out shame? There was a circumstance to which he could not help alluding, because it was so applicable to the subject before the House. He had lately read in a newspaper, that a Member of that House had sold his privilege of franking for 300*l.* a year. If this were true, the House ought to institute an inquiry into the fact. If it were false, the vengeance of that House ought to fall on the printer of so atrocious a libel.—This he said in order to call the attention of the House to the abuses that had so long and so shamefully subsisted in the privilege of franking; and although the Bill now before them went to prohibit the sending by any one Member, more than ten letters each day, and the receiving more than fifteen, yet if some regulation was not adopted with regard to clerks in offices, he was sure the Public would be greatly defrauded.

The amendments were then read a second time, and agreed to.

Mr. Long brought up a clause to continue the law as it now stands, with regard to postage on newspapers; which was agreed to.

He brought up another in favour of officers and men in actual service, and writing upon their own business only. The clause contained various provisions as to the manner of directing such letters, &c.

General Smith applauded the liberality of Government in this instance, and said he hoped that the officers would take care that no improper use should be made of it.

The clause was then agreed to.

Mr. I. H. Browne moved, that petitions sent to Members of Parliament might be included in this exemption.

Mr. Mainwaring objected to this; as sometimes, he said, petitions came to Members, containing several hundred signatures.

Mr. I. H. Browne said, he only meant such petitions as alluded to public or private Bills, which might not come immediately within the weight allowed, and yet not be a great deal over it.

This motion, not being seconded, fell to the ground.

Mr. Porter proposed a clause which specified various regulations of abuses in the public offices in the franking of letters,

ters, and appointed an inspector, &c.—the purport of it was to the following effect:

“ That no letters going to, or from, any clerk or other person belonging to any of the offices of Government should be free of postage, except such as were really and *bona fide* on the public business of Government. That all such letters should be directed to, and sent by certain stated persons, such as the president and secretary of the board in each office, and that inspectors should be appointed for the purpose to examine into the books in which all such letters should be entered, and the daily amount thereof. And that copies of such books, transcribed on oath, should be kept for the inspection of Members of the House, whenever they might chuse, within certain reasonable hours, to look into and examine the same.”

Captain Berkeley doubted the utility of the clause, and asked the Hon. Member who moved the clause, whether he thought the expences attending the appointment of inspectors, &c. would not be greater than any benefit which might be derived from it might be worth.

Mr. Porter replied, that he believed it would be a saving to the Public of at least fifteen thousand a year, and he thought that the salaries of a few inspectors would be very trifling indeed, when compared to such a sum, even allowing them very ample compensation for their trouble.

The Secretary at War thought the law sufficient for the correction of the abuses which the clause was intended to remedy. He observed that there were various correspondences which Government did not wish to suppress, and which had the object of expediting public business, and yet would be chargeable to postage by the clause in question.

Mr. Courtenay said, he was glad that ministers were determined to remedy abuses; but observed, that the Hon. Member who had spoke last, had been so short a time in office that he had not been able to perceive any abuses in it, but long enough to stand up stoutly against persons in those offices being put to any inconvenience. It was somewhat extraordinary that on the ground of the privilege of franking having been *abused*, and that only by one or two Members of that House, it had been thought proper to lay a restriction upon the privilege which applied to *every* Member of the House, and confined them to the number of ten to send, and fifteen to receive; yet after having imposed this restriction on the gross charge of *abuse* of privilege, it was thought necessary, that this privilege should be taken from Members of Parliament, and should yet be endeavoured to be continued to clerks and other

other persons in public offices to an unlimited extent. The abuses of the offices were great indeed; upwards of 30,000l. a year were taken up by the franking of the clerks; this was more than one third of the whole amount of franking by both Houses of Parliament. He wished to know upon what ground it was that these Gentlemen were to have a discretionary power, and the Members of the two Houses to have none. He thought that too much trust was put in the virtue of these Gentlemen. Were they purified by some fixed air among themselves? Indeed he apprehended that this Bill would tend to increase abuse in the privilege of franking in these offices, for some of the Gentlemen belonging to them might become partners, not *sleeping*, but *writing* partners in banking-houses, unless something like the clause now offered should be adopted. It was idle to say that the abuses would be corrected in the offices; he never knew any body of men who corrected abuses among themselves, either in church or state. He saw something already that tended to the reverse of this, for when any abuse of office was mentioned, and an attempt made to do it away, some minister or other was sure to step in to defend it; whenever any one attempted to approach the abuse of office, ministers seemed to say, "Take off your shoes, for now you stand upon holy ground."

Mr. Long observed, that there was a particular law in being to restrain the abuse of franking in public offices.

General Tarleton said a few words on the general abuse of franking. In the matter which he brought forward a few days ago, he declared he had not been actuated by any desire of persecuting an individual Member, as had been suggested by some, but with a desire to take the business up on a broad and extensive scale. An imputation of abuse of privilege had been cast upon the whole of the Members of the House, for the abuses of one or two. It was his intention to have thrown the blame where it ought justly to lie. He hoped, by using the word escape, he should not be thought too harsh; but certainly the Hon. Member who was the object of his motion, had escaped, and, he believed, through the means of ministerial countenance. However, as he thought abuses were as likely to prevail amongst the clerks of public offices, as among Members of that House, he should certainly give his vote for the present clause, as tending to prevent them.

General Smith observed, that in the year 1785, the whole amount of official franking amounted only to the sum of 850l. and now it was risen as high as thirty thousand annually. This great and rapid increase in the space of ten years, certainly seemed to require a check. Such motions and discussions

sions as the present, were of infinite service: When many of the abuses of public offices were mentioned on the first introduction of this Bill, the Chancellor of the Exchequer had said, that he never before had heard of them; such discussions as the present would serve to bring them to view, and the clause should have his support because it went to correct and check them.

The Secretary at War moved that the Act relative to the restraints laid on clerks in public offices in franking be read; which being done, a conversation of considerable length took place, in which Mr. Yorke, Mr. Dent, Mr. Rose, Mr. Martin, Mr. Buxton, Mr. W. Smith, Mr. Grey, Mr. Thornton, Mr. Hufley, and Mr. Robinson took part; after which Mr. Porter agreed to withdraw the clause, understanding that Mr. Dent was to make a motion upon the subject immediately.

The clauses being all agreed to, the Bill was ordered to be read a third time on Friday, if then engrossed.

ABUSE OF FRANKING IN PUBLIC OFFICES.

Mr. Dent then rose to move for a Committee of Inquiry into the abuses of the privilege of franking in the public offices. He stated, that the produce of the Post Office was about 627,000*l.* a year, and after deducting all charges, the net produce amounted to 390,000*l.* He then proceeded to enumerate some of the abuses of clerks in office, and to shew how that affected the revenue of the Post Office. By means of these abuses various pamphlets were carried all over the kingdom free of postage, among others Mr. Lackington's thick and bulky catalogue of books. Nay more, even hares and haunches of venison had been conveyed in this manner. These facts he did not wish to rest upon his assertion; Mr. Dent said he was ready to prove them at the bar of that House, whenever he should be called upon to do so. Such abuses, he maintained, ought to be done away as well and as speedily as possible. He concluded with moving, "That a Committee be appointed to inquire into the several frauds and abuses, in relation to the sending or receiving letters free of postage, by clerks in public offices entitled to frank letters; that they do examine the same, and state their opinion thereupon to the House."

Mr. Long thought that this inquiry was unnecessary, and that if it was gone into, it would not remedy the evil. He had heard of abuses in many of the offices; he had inquired, and found that many existed, but he found also that these abuses had been greatly exaggerated. With regard to haunches of venison, he apprehended that the Hon. Gentleman mis-
conceived

conceived the matter. If any thing of that sort had been carried from the Post-office, the Public was not defrauded by it, although he had no doubt of the fact being as the Hon. Gentleman related, for he had heard of a turtle being sent in the same way. But the fact was this; by the contract of the Post-office, on mail-coaches, these things were carried as parcels under the same right as that by which passengers were carried by the mail; and therefore this was no fraud upon the revenue. With regard to this Committee being unnecessary, he must observe, that already many regulations had been adopted in these offices, and many others were about to be adopted, and would be carried into effect as speedily as possible. Another reason why he should vote against going into this Committee was, because he was convinced, that from the manner the accounts were kept of these franks, there could not be proof of the abuse brought before the Committee. Taking the whole of the matter together, he saw no good that would result from the proposed inquiry; and therefore he thought it would be better to leave the matter to the operation of the regulations which have been, and others that are about to be adopted. If after a fair trial they should be found ineffectual, then some other remedy might be proposed.

Mr. Courtenay said, it appeared to him that the chief reason for bringing this motion forward, was its being denied that any abuse existed in these offices. Now that these abuses were admitted to exist, and that it was said they were to be corrected, he, on that account, was rather inclined to agree with Gentlemen on the other side; and therefore he hoped the sense of the House would not be taken on the motion.

Mr. Bouverie said, he should support the motion, on the ground that the Hon. Gentleman who made it, had pledged himself to prove the abuses which he stated: Abuses which, to a certain extent, indeed seemed now to be acknowledged. Ministers ought to be obliged to the House for stimulating them forward in this business, for they seemed to want a stimulus.

Mr. Wilmot thought it was not necessary to go into abuses, which were acknowledged to exist, because the question ought only to be on the mode of adopting a remedy; one remedy was now trying—if that failed, another might be tried hereafter.

Captain Berkeley did not pretend to know any thing of any of the offices, except the Ordnance; he maintained, however, there was no abuse as to franking in that office; if there was, he should be excessively obliged to the Hon. Gentleman for stating it to him.

Mr. Dent admitted that he knew of no abuses in the Ordnance, but in others there were abuses to an enormous extent, and particularly in the Customs.

Mr. W. Smith wished the motion to be withdrawn, because he thought the notoriety of the abuses alluded to, superseded the necessity of inquiring into their existence. The best thing that could be done, was to apply a remedy as soon as possible; besides, there might be some difficulty in proving the abuses, although they were notorious, because, when the House came to examine evidence, they must subject themselves to certain formal rules; and many Gentlemen who had already furnished this information privately to Members, could not be called upon to give their testimony in public, without a breach of faith.

Mr. J. H. Browne was of the same opinion.

Mr. Porter was for going into a Committee.

The House divided,

For the motion 53—Against it 41.

Strangers were then excluded for a considerable time, during which we understood that the Sunday Bill was brought on and disposed of in the following manner:

On motion for going into a Committee on the Bill, the question was put, "That the Speaker do now leave the chair." The House divided,

For the motion 37—Against it 50.

"That this Bill be committed on Friday se'nnight." An amendment was moved, That instead of "Friday se'nnight," the words "This day six months" be substituted. The House divided,

For the amendment 44—Against it 43.

So that there is an end of that Bill for this Session at least.

The Bill for providing for Subalterns in the Militia in time of War, passed the Committee, after a few words between *General Tarleton*, *General Smith*, and the *Secretary at War*. Report ordered to be received the next day.

The Lottery Bill was ordered to be read a third time the next day, if then engrossed.

Mr. Mainwaring asked the *Secretary at War*, at what time he should be ready to bring forward his plan of relief to the innkeepers, whose petition lay on the table, complaining of hardships in consequence of billeting Soldiers upon them.

The *Secretary at War* admitted they laboured under grievous hardships, and said they had born them with patience; he said he hoped to be ready with a plan for their relief in a few days.

Mr. Mainwaring said he was satisfied.

The

The Bill for allowing 2,500,000*l.* to his Majesty for extraordinary services of the year, was ordered to be read a third time on Monday, if then engrossed.

Leave was given to bring in a Bill to regulate the shipping employed in carrying slaves from the coast of Africa in British vessels.

The Militia Pay and Clothing Bill was passed.

The Dead Body Bill was ordered to be read a second time on Friday next.—Adjourned.

HOUSE OF LORDS.

TUESDAY, *April 14.*

THANKS TO VICE-ADMIRAL HOTHAM, &c.

Earl Spencer rose, in pursuance of the notice which he gave the preceding day, to move the thanks of the House to Admiral Hotham for the victory which he obtained over the French fleet in the Mediterranean. The Noble Earl observed, that the victory for which he proposed to move their Lordships to vote their thanks, was the effect of the skill and bravery of the gallant Admiral whom he had named, and also owing to the courage of those who were under him in command. Such victories, he thought, should always be acknowledged and rewarded with the highest honour their Lordships could bestow. He should have thought it unnecessary to say any thing on the subject more than barely to move the thanks of the House, had he not the preceding day understood that one Noble Lord intended to make some observations upon the grounds of the motion, and the proof of the fact, that a victory had been obtained. He was induced, however, to think that that Noble Lord would not oppose the motion, with which he intended to conclude; the importance of the victory he alluded to being undeniable. If any thing remained imperfect in the account of that event, it arose out of the modesty with which the gallant Admiral had transmitted it, and of the diffident terms in which he had conveyed the information of a victory that had been so much owing to his own merit. The Noble Earl, if he wished to have any further information on that head, might, if he chose, have recourse to the Gazette, where he would be fully satisfied as to the fact. By this victory the naval superiority of Great Britain had been maintained; and for such services he was confident their Lordships were ready to bestow their praise, and the Public to acknowledge their obligation. He concluded with moving, "That the thanks of this House

be given to Vice-Admiral Hotham, for his meritorious services in the command of his Majesty's fleet lately stationed in the Mediterranean."

His Lordship observed, that if his motion should be carried, as he had no doubt it would, he should follow it up with other motions of thanks to Vice-Admiral Goodall, Sir Hyde Parker, and all the officers, together with acknowledgment and approbation of the services of the men on board the fleet, &c.

The question of thanks to Admiral Hotham being put,

The Earl of Lauderdale said, the Noble Earl who had made this motion had conjectured rightly, when he expected that he should make some observations on this subject, although he should not oppose the motion in particular. He objected, however, to the practice of voting thanks indiscriminately for all victories. Sure he was, the service was not much honoured by placing on the same footing of merit, the victory of the first of June, and the taking of Bastia! He was of opinion, that a great difference ought to be made between a splendid victory and a trivial advantage; but ministers had of late confounded them, by coming forward to move thanks indiscriminately to Lord Hood and Lord Howe. This practice, however, had been confined a good deal to our naval operations; for, with the single exception of Sir Charles Grey, ministers had, by the wisdom of their plans, contrived to keep our military force clear from any chance of receiving the thanks of that House for the exertion of its commanders. With regard to any diffidence that might be felt on this occasion, he owned he had not any, as far as regarded Admiral Hotham; his diffidence arose from the London Gazette, to which authority the Noble Earl had been pleased to refer him. He perceived in the account of this very victory, in actual engagement with Admiral Hotham, the very ships (named the *Censeur* and *Ca Ira*) which were stated by the same authority, the London Gazette, to be destroyed by Lord Hood at Toulon, and others had been burnt down to the water's edge, and so disabled as to be totally unfit for service. He wished to know with what propriety their Lordships could rely on the last account of the victory of Admiral Hotham, when they found the account of the affair of Toulon so fallacious. By this mode of proceeding their Lordships were to thank two Admirals for destroying the same force—that was a double vote of thanks for one and the same act. And possibly, hereafter, ministers would come forward to thank some other English Admiral for destroying these very ships a third time. Upon these considerations he thought their Lordships should institute an inquiry, before they voted thanks in future. He admitted that the London Gazette had formerly,

ly, indeed, been a vehicle of intelligence on which the Public might rely; but since the commencement of the present war, experience had taught us to regard it in many instances as a publication to deceive us. If the Noble Earl could have informed him of the destination of the French, when Admiral Hotham fell in with them, or what was more, where the Toulon fleet now was, it would at least have afforded him some consolation, and he should the more readily have concurred in the motion of thanks; but while it remained a matter of doubt and uncertainty, whether what had happened was effective to any important purpose, he felt little satisfaction on the subject.

Earl Spencer said, that the Noble Earl might, with the exertion of very little ingenuity, have discovered, that the very ships which bore the same names as those disabled and partly destroyed by Lord Hood at Toulon, might have been repaired or rebuilt; or other ships, according to what was well known to be the French practice, might have been named after them. The *Ville de Paris* would soon be at sea, and should it be taken by the enemy, and afterwards a proposal be made in the National Convention to thank the Admiral for such an achievement, any member of that Convention might start up with as much propriety as the Noble Earl now did, and say that the fact could not be true, as it was notorious that the *Ville de Paris* had been sunk many years ago. The Noble Earl might amuse himself and their Lordships as much as he thought fit; but the observations he had made, did not appear to him to be quite applicable to the subject.

The Earl of Lauderdale said, that with regard to ingenuity, he did not pretend to use any; he left the Noble Earl to draw as often as he pleased upon his great stock in trade of that article, in which there was no fear of his ever feeling a deficiency. He had indeed given an instance of it that day. With regard to the idea of his attempting to amuse himself, he could only say, that in attending that House, he had something in view more important than amusement. He attended his duty as a Peer of Parliament, to call ministers to their duty, and to do all he could to undeceive the Public. What the Noble Earl had just said, was a proof of the necessity of these observations. The information which he had given to the House was serious and alarming indeed; for he had told the House that the ships which had been alluded to, might have been since rebuilt. He was indeed alarmed, if large ships of war could, in so short a space as the period of a few months, be built on the keels of those which had been burnt to the water's edge by Lord Hood at Toulon. What was this, but confessing the superiority of the enemy to us in the art of building ships of war?

war? With regard to the Ville de Paris, every body knew that ship had been lost so long, that there had been ample time for her having been entirely rebuilt. What he had stated with regard to the Gazette, he must repeat; and he would add, that the accounts in it were studiously fallacious. It was now a publication to deceive the Public, and on which the present Administration endeavoured to build their narrow fame. He was still further alarmed, on finding that the Noble Earl had not been able to inform their Lordships, whether he was aware of what was become of the Toulon fleet.

Earl Spencer said, he was under the necessity of troubling their Lordships with a few more words in explanation. He had not meant to say, that such of the French ships as had been burnt by Lord Hood down to the water's edge, were already rebuilt from the keels of those ships so destroyed; but that other ships not so much damaged might have been repaired, and made fit for sea, in time to have been with the French fleet, met by Admiral Hotham lately in the Mediterranean. Another material question of the Noble Earl, he had accidentally omitted to take notice of, *viz.* that about the present situation of the Toulon fleet. To give an answer to such a question, under the existing circumstances, he conceived to be highly improper on his part. It was enough for him to be able to assert, that whatever had been the object of the French, when that fleet had been fitted out, over which Admiral Hotham had obtained a victory—that object had been entirely defeated, and put an end to for the present. He would only add, that the question before their Lordships was, whether the victory obtained over the enemy by Admiral Hotham, was such as merited the thanks of that House.

The question was then put, and carried.

As were also the thanks to Vice Admiral Goodall, Admiral Sir Hyde Parker, officers and men, &c.

Their Lordships then received several Bills from the Commons. After some private business was over, the House adjourned.

HOUSE OF COMMONS.

TUESDAY, April 14.

Mr. Thomas Grenville said, that if the subject to which he rose to call the attention of the House was as new as it was important, he should certainly feel considerable apprehension in bringing it forward. It was not, however, his intention to propose any new principles with respect to the mode of deciding in questions of controverted elections, but only to suggest some regulations in order to follow up more strictly, accurately, and usefully, the provisions of the Act already subsisting

sisting for that purpose. The principle of that Act was acknowledged to be good; it had for a series of years rescued the House from that melancholy and disgraceful state with respect to disputed elections, in which it had before been placed, and it only remained to remedy one or two inconveniences of a practical nature. The principal inconvenience which had been felt, had arisen from the want of attendance of Members on the days appointed to ballot for Committees. Many modes had been suggested to obviate this evil. It had occurred to several persons, as well as to himself, whether it might not be proper to set aside five or six weeks at the beginning of the session, in order to try questions of controverted elections. It was certainly a most important duty to ascertain, in the first instance, those who had really a right to sit in Parliament, and to have the representation of the people, with as little delay as possible, as full and complete as the constitution of that House would permit. The objection to the mode he had mentioned was, that there might occur duties of a nature paramount to that of deciding with respect to controverted election, and that the appropriation of five or six weeks for the purpose, might, in some instances, interfere too essentially with the dispatch of public business of the most urgent and pressing description. He was at the same time desirous, if possible, to avoid bringing forward any new mode of procuring, by compulsion, a sufficient attendance of Members. Many instances of neglect latterly were exhibited by the Members, and no attention whatever paid to such days.—The Journals of the House furnished instances of fines for non-attendance in such cases; so that the House had already ample powers for that object; and it was only his wish, by the Bill which he should bring forward, to restore to the House the full exercise of those functions, and that the authority which had been suspended in the 10th of the reign of his present Majesty, should again be revived. But while he secured the advantage of that authority, it was also his wish to afford some relief to the Members, by the mode which he should adopt in forming the Election Committees. In diminishing the numbers, however, he would by no means have it understood that he intended to relax the duty. The diminution of numbers which he would suggest was, that instead of a hundred Members being required to attend, sixty might be sufficient; that instead of forty-nine, only twenty-seven might be drawn; and instead of fifteen, only eleven appointed as a Committee, including the nominees. This calculation would be found to be very nearly in the proportion of the former numbers. There were some other regulations which he should propose, namely, where out of sixty Members

Members they should not be able to make a Committee, that those who had been excused in consequence of age or service, should be obliged to take their turn in the order in which they had been drawn in the ballot; and that a peremptory excuse should not be admitted, except, as in the case of a Jury at the Old Bailey, the Member had attained the age of 70. There were some other regulations with respect to the time allowed for the renewal of petitions, and the taking of affidavits, &c. which would more properly come to be discussed in the Committee. He had mentioned only a few of the outlines of his intended Bill; and if leave should be given to bring it in, he should move that it might be read a first time to-day, in order that it might be printed, and a subsequent day appointed for its consideration.

Mr. Baker objected to any diminution of the Members by the Bill proposed to be brought in; he should rather wish that a clause might be introduced requiring them to be increased. He suggested, that on every day appointed to ballot for an Election Committee, there ought to take place a call of the House.

Mr. Fox was also of opinion that the numbers ought not to be diminished. He suggested that on the days appointed to ballot for an Election Committee, there might be a standing order to call over the House that day; and when an attendance of three or four hundred was secured, they might proceed to appoint more Committees than one on the same day. Thus the House would be saved from the awkward and indecent predicament of being obliged, as in the present Parliament, to appoint Committees at the end of the third session, in order to try the right of Gentlemen to sit there as Members. On days appointed for transacting public business, they might choose at least one Committee; and on ordinary days they might proceed without delay or interruption to what certainly ought to be considered their first duty, *viz.* adopting the most effectual mode of correctly ascertaining those who were qualified to sit in the House.

Mr. Ryder objected to strong measures being adopted, such as frequent Calls of the House, in order to compel the attendance of Members, as it might prevent Gentlemen who were in particular situations, such as lawyers, merchants, and persons in office, from taking seats in the House.

Mr. M. A. Taylor said, that if Gentlemen thought proper to accept of seats in the House, they ought to be prepared to discharge their duties, let their professions out of Parliament be what they might; every man was equally bound, and there ought to be no distinction. The plan proposed by his Right Hon. Friend

Friend (Mr. Fox), for having the days of election ballots considered as Calls of the House, he certainly approved of, and he would himself propose a regulation that might save the Committees much trouble; it was, as is done in the Old Bailey, to have the evidence taken in short hand—this, he was confident, would save two days out of five; he however thanked Mr. Grenville for the necessary regulations he proposed.

Mr. Sylvester Douglas thought the Hon. Gentleman (Mr. Grenville) had struck out a proper medium in the business, and one which he preferred to a Call of the House. With regard to the length of time taken up in controverted elections before a decision ensued, there was certainly great cause of complaint, and the Public were much inconvenienced by it. Many causes however were of that complicated nature in point of evidence and law, that they occupy perhaps two or three days, and if the time were abridged, the Public may say that justice may not be done. Mr. Douglas referred to the practice of the House of Commons in Ireland, in respect to petitions on contested elections.

After some further remarks from *Mr. Hawkins Browne*, and a few words in reply from *Mr. T. Grenville*, leave was given to bring in the Bill.

CONGRATULATORY ADDRESS TO HIS MAJESTY.

Lord Parker signified to the House his Majesty's pleasure to receive their address of congratulation, on the nuptials of his Royal Highness the Prince of Wales, at three o'clock next day.

MOTION FOR A MONUMENT TO CAPTAIN FAULKNOR.

General Smith said, that pursuant to the notice he had given on a former occasion, he rose to make a motion to which he conceived that there could not be the smallest opposition. He must own indeed, he was rather surprised that some difficulty was entertained with respect to the proposition which he meant to bring forward, as not being sanctioned by any precedent. He should have thought that it would only have been necessary to leave the decision to the justice of the House. They could not, within the space of three short months, have forgotten the distinguished merits, and gallant services of the brave officer, to whose memory he now proposed to erect a monument. To commemorate the services of those officers who had fallen in the course of a naval campaign, with such distinguished courage, did honour to themselves and country. General Smith entered into a recital of the conduct of Captain Faulknor on different occasions, particularly the action in which he lost his life. It was true that it was in some mea-

sure an unprecedented action, and consequently of a different nature to those usually so honoured under the conduct of Admirals and Captains; it was an action wherein the task at once devolved to a single individual both to plan and to execute. He recapitulated the various services of Captain Faulknor in the West Indies, both on board the Zebra and La Blanche, as they have formerly been detailed in the Gazettes, and expatiated largely on his gallantry. He had no doubt, he said, but that there were hundreds of officers, who in equal situations would display an equal degree of patriotism and valour, but that it rarely happened that such opportunities occurred. He lamented that three months should have transpired without any public notice of Captain Faulknor's bravery on the part of the House of Commons. Many for exertions less meritorious had received the greatest rewards, and been elevated to the highest honours. He alluded to the gratitude which they before had shewn to the eight surviving children of Captain Farmer of the Quebec, trusting that they would be no less generous on this occasion. He concluded by moving, "That an humble address be presented to his Majesty, to request that his Majesty would be pleased to order a monument to be erected in the collegiate church of St. Peter, Westminster, to the memory of the late Captain Faulknor, and to assure his Majesty that his faithful Commons would undertake to make good the expences of the same."

Mr. Grey said, that he was anxious to second this motion, not because he feared it would want the support of persons of greater influence than himself, but because, from information which he had received from a particular channel, he was enabled to add some circumstances to the testimony which had just been borne to the merits of the gallant officer who was the object of the motion. If, indeed, as the Hon. General had suggested, there was some difficulty entertained on the present occasion, with respect to precedent, this was a case, in which, of all others, precedent might be dispensed with. A tribute of national respect and gratitude was due to Captain Faulknor, not merely for his behaviour in the action in which he fell, but for a long series of gallant services in the course of a life, which, though short with respect to time, was not less illustrious from the number and brilliancy of his achievements. He was a man, the admiration both of the army and navy, and indeed of all who knew him, and in an expedition which, he might take upon him to say, was distinguished by military enterprise and conduct, had signalized himself beyond his peers. *Mr. Grey* entered into a recital of the particulars of his conduct on different occasions, particularly at Fort Bourbon, at Guadaloupe, and at Fleur d'Épée. He trusted, that on this

this motion to erect a monument to the memory of an officer, who after having rendered the most eminent services to his country, had fallen covered with glory, there would not be one dissentient voice, but that all would cheerfully concur in paying a tribute not less honourable to him, whose merits it was intended to commemorate, than it would be serviceable to the nation, by inspiring in others an emulation of his virtues. Mr. Grey adduced the instance of the monument erected at the public expence, in consequence of a vote of Parliament, to the memory of the late Earl of Chatham, to prove that the House had not always felt it necessary to govern itself by the narrow rule of general precedent.

The Secretary at War said, that he felt himself placed in an unpleasant situation, in being obliged to oppose the motion—the more so, from the ardour with which it had been brought forward by the Hon. Gentleman, and which might give to his opposition the appearance of some difference in opinion, or in feeling. No man, however, was more ready than himself to allow, that no actions could have been more brilliant, and no life more illustrious, than those of Captain Faulknor. He was not, however, from any thing that had been said, relieved from the difficulty with respect to erecting a monument to his memory. What had been the rule observed in the case of other meritorious officers? It was necessary either to look to the principle that had been followed in former instances, or to adopt some new rule of action. The rule hitherto existing in usage was in opposition to the motion now proposed, and forbade them to give way to their feelings on the present occasion. What, he asked, had formerly been the case, with respect to Captain Gardener (in a 64-gun ship against the *Foudroyant* of 80), and more recently with respect to Captain Courtenay, who had both fallen gloriously in the service of their country? Neither of these officers had any public monument erected to their memory. The rule had been only to erect monuments to those officers who fell in great and general actions, though the merit of those who perished in separate actions might be equally, and perhaps even more distinguished. Honours must go either by rules, or by discretion. If the principle was to be extended, why should not lieutenants and midshipmen, who signalized themselves, come in for a share of the same distinctions? What he then objected to in the present instance was, that the claims of individuals should be brought forward in that House for separate discussion. It was not true with respect to honour as with respect to all other good, that it became improved in degree in proportion as it was more extensively communicated. He regretted the absence of his Right Hon. Friend the Secretary of State, who was better acquaint-

ed with the rules and principles upon which such motions were brought forward. He had given his opinion, and in order to get rid of the motion in the most respectful way, he said, he would move that the other Orders of the Day be now read.

Mr. Fox said, that he should have thought it wise, reasonable, and just, to have at once assented to a motion founded on the ground of extraordinary merit. The Right Hon. Gentleman had however thought proper to answer it by a long story of a rule which no where appeared. The Right Hon. Gentleman had laid down a very true principle, that honours did not become more valuable in proportion as they were lavishly bestowed; and he wished it had been more attended to in the distribution of the votes of thanks of last session. But would the honour of any of the British heroes be tarnished by having the monument of Captain Faulknor placed next to theirs? Would not the catalogue rather receive fresh splendour from the addition of so illustrious a name? When the Right Hon. Gentleman laid so much stress on precedents, was he afraid that the precedents for conferring honours on such singular and extraordinary merit might become too numerous? He was sure that there was no precedent in which such a motion as the present had been brought forward and refused, and he trusted that the House on the present occasion would attend to the dictates of their own feelings and the national honour, rather than the authority of the Hon. Gentleman.

Mr. Ryder defended the Secretary at War, but expressed his wish that a resolution might be drawn up, stating the reason why the motion was negatived, that there might be no room to suspect that there was any difference of opinion as to the merits of Captain Faulknor.

Sir William Pulteney differed entirely from the two Right Hon. Gentlemen on the other side of the House—This did not appear to him to be at all a question of precedent, but a question of feeling; and the only point for consideration was, whether Captain Faulknor did not merit the honour which it was proposed to pay to his memory. Sir William said, that the effusions of respect and gratitude, called forth by extraordinary exertions in the service of the country, were equally creditable to the parties, and to themselves. Were they to be fettered by rules and by precedents? No; it was impossible to restrain the feelings of men. It had been said that there existed a rule by which the House of Commons were precluded from granting such honours to any officer standing in the situation of Captain Faulknor—That is to say, where the engagement was only between single ships, and not between fleets. In the first place, the Right Hon. Gentleman (*Mr. Windham*) had by no means proved that any such rule existed, and even
if

if it did, he should contend that it was a bad rule, and ought to be rescinded. If the House agreed with him in opinion, that it should not be tied down by any such supposed rule, he was sure they could not find a more proper occasion than the present to break through it. He was at a loss to know why officers belonging to fleets should alone be entitled to honours, for the situation of an officer, commanding a single ship, seemed to him much more difficult. An officer, commanding a ship in a fleet, acted not upon his own judgment, but in obedience to the orders of his superior; and he could not, without flagrant misconduct, avoid doing his duty. On the contrary, the commander of a single ship must act upon his own judgment, and whatever he did was perfectly voluntary—He was always of opinion that the House was much too niggardly in bestowing honours, which appeared to him equally impolitic and unjust—In other countries any extraordinary act of skill or bravery was constantly rewarded with preferment; in this country nothing could obtain promotion but seniority or money. This practice greatly injured our service, for it induced officers to have recourse to other means to obtain preferment, instead of seeking it by signaling their courage: Upon the whole, he thought the country owed this tribute to the memory of Captain Faulknor; it was a debt of gratitude, and ought to be paid.

After some explanation, the *Secretary at War* professed his readiness to withdraw his motion for the Order of the Day, if some mode could be found of adjourning the original motion, in order to search for precedents.

Mr. Wilberforce supported this last proposition.

The question was then put, that the other Orders of the Day be now read, and negatived without a division.

The Secretary at War said, the question of the Order of the Day being disposed of, he would move that the debate on the original motion be adjourned for a few days—which being seconded,

Mr. Fox rose immediately, and declared, that after attending to all that had been said of rule and precedent, he must reprobate in the strongest terms the motion now made, after the Order of the Day upon the original motion had been lost—a motion, which he would venture to say, was one of the most indecent, irregular, and disgraceful, that could have been made in that House. He wished to ask on the subject of rules and precedents, by what rule or by what precedent they were to estimate the merits of officers who had distinguished themselves in an extraordinary manner? How could similar services be compared?—and how could rules be made to direct and regulate

gulate the feelings of men upon such a subject? In his opinion it was impossible, and he hoped he should hear no more of it—a sort of argument that never had been used in that House before, and one that he never thought could have been urged against the motion of his Hon. Friend. But when the conduct of Captain Faulkner was admitted and known to them all, to be as gallant, heroic, and meritorious, as any that the page of history could boast of, it must seem rather extraordinary that upon so extraordinary an occasion, a motion should be made for a Committee to search for precedents, as if that Committee could search into the minds of the House, and the minds of the Public, for the degree of honour the country had reaped from the conduct of a brave officer, the degree of gratitude which his country owed him for his services, or the degree of warmth with which that House ought to express their feelings on such a case. An Hon. Friend had very properly brought forward the instance of Lord Chatham. Did it enter the head of any man at that time to talk of rules and precedents for granting rewards and honours so justly merited? Certainly not, and the case was somewhat similar even upon the arguments of the Hon. Gentleman who wished to search for precedents, for though there had been many able and good ministers, whose services had passed unnoticed by monuments, yet that sort of negative rule was not even started, nor did he believe there was a man at the time that could have thought of it. As to getting rid of the original motion, he was extremely sorry that any such idea had ever been entertained; but of all modes that could have been adopted, that of appointing a Committee to search for precedents, was the most unworthy, unprecedented, and, he must add, disgraceful to the House, that could have been suggested. This Committee were to tell them, he supposed, what their feelings were upon the merits of brave men, and what feelings were necessary to constitute a wish to express a sense of gratitude, either by honours or rewards, for services performed to the Public; to decide upon the original motion, was the only way to do justice to such a case. And if they did not, and went into this Committee of Inquiry, he wished to know how the result would affect the House. If upon this search no precedent was found, which might be very likely, what would they do then? Perhaps they thought they enhanced the value of this tribute of respect, by considering the case after inquiry, as one upon which only such a testimony of national gratitude ought to be bestowed. Again, upon the much argued point of rule and precedent, he would say once for all, that he knew of no such rule as had been alluded to, and he even denied

nied that any such existed. If it did, it never had been stated. In the case of Lord Chatham, the House had, much to their credit, in his opinion, gone greatly farther than voting a monument to his memory; they amply and liberally provided for his family, and small as the share he had in that transaction, there was no vote he had ever given that afforded him more satisfaction. What was the conduct of the House upon that occasion? did any body think of searching for precedents? No; the only precedent mentioned was that of the Duke of Marlborough; but in his case it was because he had been a successful General, and by his victories had essentially served his country; the House of Commons, however, did not look to this as a rule or precedent, but considering that Lord Chatham had likewise rendered essential services to the state, were unanimously of opinion that all who equally promoted the interests of the nation were equally entitled to the honours and rewards which their services merited. He concluded by warmly exhorting the House to support the original motion, and to resist the adjournment, for the purpose of appointing a Committee of Inquiry, as derogatory to the honour and character of a British House of Commons, and highly unpopular and disgraceful in the eyes of the nation.

The Secretary at War said, that Gentlemen could find no difficulty in combating arguments which they themselves created for the purpose of opposing them; yet nothing that had been said could alter his opinion, that however meritorious and gallant the conduct of Captain Faulknor had been, and nobody felt more than he did a proper sense of that brave officer's merit, yet he must contend and insist that in all former times our ancestors had been guided by some rule and precedent; the question therefore was not now, whether that was a good or a bad rule, which might be afterwards discussed, but whether it would not be wise to follow the line chalked out by those who had gone before them. Some Gentlemen had despised negative rules, but he really thought a negative rule might be as strong as an affirmative rule. He recurred to the many instances of bravery and good conduct that had passed unnoticed, such as Captain Courtenay's. Why had that warmth to pay the tributes due to their valour never appeared? The words of this motion, by stating the particulars of the services, seemed to indicate that the gentlemen themselves knew that such motions were not common in similar circumstances. With regard to the instance of Lord Chatham, it ought to be remembered that there were few or no instances of statesmen being rewarded in that manner then, and that instances similar to Captain Faulknor's, of good and gallant
conduct

conduct in officers, were numerous, and happened daily both in this and former wars. He considered his motion as not only prudent and necessary, but as proper in every respect, and denied that the delay could be disgraceful to the House or dishonourable to the memory of Captain Faulknor, whether the result of the inquiry turned out that the object of the motion ought to be granted or refused.

General Tarleton said, he had never been a servile observer of rules or precedents, particularly with respect to the conduct of officers; it had always been his wish that their conduct should be canvassed when living, and honoured when dead. It did not belong to their character to court obscurity; the more notorious and public their conduct was made, the more it would be to their honour, and for example to others if right, and the more to their disgrace, if wrong; he spoke highly of Capt. Faulknor's merits, and strenuously for the original question.

The Solicitor General passed an high eulogium on the merits of Captain Faulknor, but thought the adjournment of the question proper; because when his case was fully investigated, if it was found that the sense of the House was to agree to the original motion, it would rather add to than diminish the degree of respect to be paid to his memory.

Sir William Pulteney was altogether against the adjournment of the debate, and for the original motion: The arguments he had heard respecting rules and precedents, Sir William thought were too bad even to be listened to for a moment; and as to the other argument, that those, or the friends of those who had been neglected, would complain if this tribute was paid to Captain Faulknor's memory, he denied it. However great their services had been, could they rise from their graves to see this motion pass, he was sure their ghosts would say, "Certainly, erect a monument to this brave man's memory; though it is true, that we were neglected, yet none of us would wish that he should be so too." This was the military feeling, and he believed the feeling of the House. He very much disliked the idea of getting rid of such a motion as the Hon. General's, by a shew of good words, and a conduct so diametrically opposite to that which he thought the honour of the House and the country demanded.

Mr. Courtenay could not help remarking, that from a speech of a Learned Gentleman, it was necessary that an officer, however gallantly he had behaved, or even if he had lost his life in battle, must make up some sort of title-deeds to his merits before they could be recognized by that House. And thus it was that the Gentlemen opposite thought it necessary to check the

the growing spirit of that House, to pay honour to the memory of Captain Faulknor, whose conduct was loudly praised from all sides; as if, by waiting for three or four days, it might be found that somebody else had acted as well, and not been noticed, which would be a precedent either for rejecting the motion, or enhancing its value by the inquiry. He gave his Right Hon. Friend (Mr. Windham) full credit for his manly and liberal feelings; and believed, that if he had been placed in the same situation with Captain Faulknor, there was no man more likely to have acted as he did. He rather felt the more for his Hon. Friend, who considered it as a duty imposed upon him to oppose the motion. He regretted this for two reasons; first, the Hon. Gentleman being in no office which could make it his duty; and secondly, the absence of the Secretary of State: And by the way he believed he was purposely absent, wishing to expose his Hon. Friend to all the difficulty and odium that must attend even an official opposition to such a measure in a British House of Commons. He adverted to the difference between Captain Courtenay's case and Captain Faulknor's; the first was entirely the single case of an individual—the other was placed in a situation in which it was thought not individually possible for him to do what he had done. He followed his Hon. Friends in what they had said of Lord Chatham's case, and observed that negative rules had not been thought of in those days. It might have been said that Lord Godolphin, Lord Somers, and others, had been great and useful statesmen, and had passed unnoticed by monuments or pensions; but no such arguments were used at that time, nor did they become the House at present.

General Bruce was decidedly for the original motion, and would have voted against the Order of the Day, but he could not see any objection to the proposed adjournment, thinking that as the House would be better attended, it would add respect to the vote they gave.

Mr. Robinson said a few words against the adjournment.

Mr. Lechmere entered into a warm eulogium on the merits, services, and general character of his much lamented and intimate friend Captain Faulknor, whom he had long known, and whose loss this country would long have to regret. He was decidedly for the original motion; the pride of being handed down to posterity for great and gallant actions, was one of the chief inducements to perform them. He reckoned it the glory of his family, that an ancestor of his had fallen gloriously in an action at sea, in the reign of Queen Anne; and though he could not be positive, he rather thought that he might state as a precedent, that a monument had been erected to his

memory by Parliament, and was now to be seen in St. Andrew's Church,—[the name of the town he mentioned was not heard in the gallery.]

General Smith having replied with great spirit and propriety to the remarks of different Speakers, and fully acquitted himself of taking the House by surprise, stated that an Hon. Gentleman had told him the Secretary of State would not be in the House; he asked then if it was wished he should postpone his motion, and was told no; therefore it was unfair to make any such charge against him. The House divided on the question of adjournment:

Noes	-	-	-	-	29
Ayes	-	-	-	-	25
				Majority	4

After some further conversation, the original motion was put and carried: And the remaining Orders of the Day being gone through, the House adjourned at half past eight o'clock.

HOUSE OF LORDS.

WEDNESDAY, *April 15.*

The Marquis of Salisbury having stated to the House, that his Majesty had signified his pleasure to receive the Address of Congratulation upon the Prince of Wales's nuptials this day, their Lordships went in the usual form to St. James's to present the same:

Adjourned till Friday.

HOUSE OF COMMONS.

WEDNESDAY, *April 15.*

The Mary-le-bone Paving Bill was reported, and Bill ordered.

Petition against Chelmer Navigation Bill was presented and referred to a Committee on the Bill.

After some private business was gone through,

Mr. Rose proposed a modification of the Bill enacted in favour of Friendly Societies.—These societies, he said, were found to be of infinite service to the industrious part of the community, and not less than 300,000 people were members of them; but as there was one regulation which was detrimental to such of their members as entered into the service of the

the

the army or navy, he proposed to introduce a clause in their favour, whereby they might, at their quitting the service, by paying up the deficiency to the societies to which they respectively belonged, be still entitled to partake of the advantages derived from them.

The other Orders of the Day were deferred till Friday. The House then adjourned, after which they proceeded, with the Speaker at their head, to present the Address of Congratulation on the Prince's marriage, to his Majesty.

HOUSE OF LORDS,

FRIDAY, *April 17.*

HIS MAJESTY'S ANSWER TO THE ADDRESS.

The Earl of Mansfield informed the House, that he had waited upon his Majesty, with their Lordships Address; to which his Majesty returned this most gracious Answer:

"*My Lords,*

"I thank you for your congratulations upon the marriage of my son, the Prince of Wales. Nothing can be more acceptable to me, than the repeated proofs which I receive of your affectionate attachment to me and my family."

His Lordship added, that he had waited upon her Majesty with the Address, and received, in return, a most gracious answer.

An apology was made for the Duke of Leeds, who was to have waited upon their Royal Highnesses the Prince and Princess of Wales, but who was prevented through indisposition. The order was discharged, and a new one made, in which the Earl of Carlisle, Lord Grenville, and Lord Mulgrave, were appointed to carry the Address to their Royal Highnesses.

Several public and private Bills were brought from the Commons, and read a first time. The Stamp Duties Bill, the County Quota Bill, Hair-Powder Bill, the Militia Pay Bill, the Navy Bills Bill, and the Highgate Road Bill.

HOUSE OF COMMONS.

FRIDAY, *April 17.*

The Speaker stated, that on Wednesday he had waited on his Majesty, attended by several of the Members, with the

Address of congratulation on the nuptials of his Royal Highness the Prince of Wales, to which his Majesty was pleased to return the following most gracious answer :

" I receive with the most cordial satisfaction this very dutiful and loyal Address, which is peculiarly gratifying to me, as a fresh proof of your attachment to my person and family, and of the warm interest you take in whatever concerns my domestic happiness."

The Marquis of Titchfield acquainted the House, that the Gentlemen appointed to attend her Majesty on the same occasion, had attended her Majesty accordingly; and that her Majesty was pleased to say,

" Gentlemen,

" I am very sensible of the zeal and attachment of the House of Commons, for the King and the Royal Family, on all occasions; and do not in the least doubt that they take considerable share in the joy on the present occasion."

A message was received from the Lords, stating that their Lordships had agreed to several private Bills.

EXCHANGE OF PRISONERS.

Mr. M. Robinson said, that a Noble Lord had some time since mentioned that there was a great number of wounded sailors and land officers confined in the prisons of France; if such was the fact, as he had good reason to believe, some means ought certainly to be adopted in order to procure their release by an exchange of prisoners; and if no other Member, who was better qualified, thought proper to take up the subject, he should avail himself of an opportunity to bring it forward at an early period.

Mr. Secretary Dundas said, that he would not have it understood that the subject was at all neglected; proper measures had been taken respecting it.

FRANKING.

On the question being put, that the Franking Bill be read a third time, *Mr. Porter* proposed to bring up a clause to prevent the abuses of franking at the public offices, on which a conversation of some length took place; but as a Committee had been appointed to examine into the subject, it was agreed that the debate on the clause should be adjourned till Monday se'nnight.

SUPPLY.

The Order of the Day was read, for the House to resolve itself into a Committee of Supply. The accounts of the distribution of different sums for the service of the year 1794, were ordered to be laid before the Committee.

Mr.

Mr. M. A. Taylor thought this a proper opportunity for addressing one or two questions of inquiry.—Near his house he had seen a board, which announced the erection of an office for the Transport Board, and he therefore desired, as he had never before heard of that department, to be informed whether its existence had been of long duration, or whether it was newly established? and he likewise asked, whether the commissioners were separate from those of the Navy Board, or under their direction?

Mr. Rose replied, that it was a department established upon the necessity of the times, and not without a due deliberation. An order of Council had first been issued, and it was afterwards confirmed by letters patent. The Navy Board had been so much employed upon other affairs during the war, that it was absolutely expedient to create a separate board for the transport service, if we were desirous of carrying our measures on with vigour and effect: and since this establishment the persons employed in it have been fully occupied. It was not original, he said, for in so early a period as Queen Anne's time there was a similar institution.

Mr. M. A. Taylor said, that he was sorry to observe that while the expences of the country were increasing, the patronage of the Crown was also extended, and it was doubtful to him whether the country would long be able to support this accumulating pressure of expence and patronage. If nothing more satisfactory was said on the subject, he should think it necessary to make it the subject of a future motion.

Mr. Rose said, that there were only three commissioners, and they had been transferred from one Navy Board to the other.

Mr. M. A. Taylor said, that the Public derived no advantage from this diminution of commissioners at the one Board, if the whole arrangement was attended with an additional expence.

Mr. Secretary Dundas said that it had been instituted at the suggestion and desire of the Navy Board, and that the business at the Transport Board had from experience been found to be done well and economically.

Mr. Fox said that he was not satisfied with this general sort of eulogium. He wished to know whether this new Board was attended with an additional expence, and if so, in what manner it was defrayed.

Mr. Secretary Dundas stated that the Board had been existing for some time, and had been regularly charged among the other accounts. *Mr. Dundas* acknowledged that they were to be defrayed by the Public, and furthermore affirmed he was both willing and ready to answer any other questions relative thereto, because there was no mystery in the business, but on the

the contrary, that occasion to refer to it has already happened in the carriage of stores and troops. It would not have been instituted if Government had not really found it necessary.

Mr. Fox admitted, that if necessary it was proper, but nevertheless it was the duty of the Secretary of State, or some other person, previously to have informed the House of the reasons and ground of its necessity, and not have first established it, and then involved the House in such a delicate embarrassment as the refusal of the supplies for it. It might be necessary, but ministers are responsible for stating that necessity. Perhaps, however, as it was not a new institution, the expences may already be defrayed; and if they were, he should be glad to know in what manner?

Mr. Rose replied, "By the extraordinaries of the navy."

Mr. M. A. Taylor feared that the establishments would continue in peace as well as war; and he was well aware that such an establishment must considerably increase the public expences, since there are not only commissioners, but clerks and secretaries, &c. to provide. Upon these conditions he thought it a branch of his duty always to inquire in such cases, whether the offices were near his premises or those of the Right Hon. Gentleman, though he supposed the latter might be most in want of them.

Mr. Rose then moved a resolution, that 740,000*l.* should be voted to his Majesty for the deficiencies of grants of last year.

Upon this a long conversation ensued, wherein *Mr. Hussey* stated that 100,000*l.* was unaccounted for, and touched upon the withholding of the money in the Pay-office.

Mr. Fox, *Mr. Montague*, *General Macleod*, and *General Smith* were the speakers in this conversation, when, upon the passing of the resolution, *Mr. Rose* promised to procure a more specific and particular account.

The sum of 848,915*l.* was next resolved on to be granted, after some slight observations from *Mr. Fox*, for making good the deficiencies in the consolidated fund.

SCOTCH QUOTA BILL.

On the question that the Scotch Quota Bill be read a third time,

General Macleod, after adverting to the thinness of the House, observed that the regulations of this Bill operated in the nature of a land-tax, and were therefore in direct violation of the articles of the Union, by which the land-tax for Scotland was limited to 48,000*l.* and declared to be for ever fixed and irrevocable. Besides, the Bill would operate differently in Scotland, from what it did in England; by the Bill for England, the burden

burden fell on all who inhabited houses not exempted from taxes; in Scotland it would fall entirely on the land-holders; his own share would amount to about a hundred and fifty pounds. This was surely a partial and oppressive regulation. Not less oppressive was the mode by which the land-tax was raised in Scotland; any person who should refuse to pay, was liable to have soldiers quartered upon him, till such time as he should submit to the demands of the collectors. When the land-tax for Scotland was fixed at 48,000*l.* it was in the proportion of four shillings in the pound for England; the additional expence of 34,675*l.* to which the land-holders would be subjected by the regulations of the present Bill, brought it up to no less than a sum of seven shillings in the pound for Scotland. Such a gross infringement of the articles of Union on the part of ministers, was by no means calculated to afford an encouraging example to the other country (Ireland), with which they were said at present to meditate a similar union. He concluded with moving that the third reading of the Bill should be put off till that day se'nnight, in order to afford time to contrive some more equitable mode of carrying its regulations into effect.

The Lord Advocate for Scotland said, that these objections to the principle of the Bill having been deferred to so late a stage, and full opportunity having been subsequently afforded for the consideration of the Bill, he could by no means consent to the proposed delay.

General Macleod said, that he had intimated his objections to the Hon. and Learned Gentleman at a meeting in Scotland, but had been necessarily prevented from attending the House during the former stages of the Bill.

Mr. Courtenay said, that he was no judge of the justice of the observations on the breach of the articles of the Union, yet he thought them sufficient to justify the delay.

The House divided on the question, that the third reading be put off till this day se'nnight :

<i>Ayes</i>	-	-	-	6
<i>Noes</i>	-	-	-	35
<i>Majority</i>				29

The Bill was read a third time and passed.

Adjourned.

HOUSE OF LORDS.

MONDAY, April 20.

INSOLVENT DEBTORS BILL.

Lord Kenyon moved for leave to bring in a Bill to amend an Act passed in the last session of Parliament, for the relief of insolvent debtors of a certain description. The primary object of this Bill was to give persons the benefit of the late Act, who were in equity entitled to it, and next, to make a few necessary regulations in the laws, as far as they related to actions of debt.

The Earl of Moira expressed his wish, at all times, to support any measure that had a tendency to the public good; and still more cordially would he support one which went to the restoring of individuals to society, who were pining out a miserable existence within the walls of a prison. His Lordship said he was apprehensive that this Bill would not go far enough, as nothing short of a change of the present system could eradicate the numerous abuses that had crept into it. The Prince of Wales, he understood, had received petitions from various persons, praying that his Royal Highness would be pleased to use his influence in promoting an Act of Grace. To the prayer of these petitions he understood his Royal Highness lent a favourable ear. If this report was well founded, an act of grace would be much more extensive in its operation, and would render the Bill nugatory, as far as it applied to the individuals who could not take the benefit of the late Act. At any rate he trusted this Bill would not be an obstacle to the humane interference of the Prince, if his Royal Highness should deign to become an advocate for the unfortunate. Leave was given, the Bill brought in, and read the first time.

HAIR-POWDER BILL.

The Bill for obliging persons wearing hair-powder to take out a certificate for permission to do the same, was read a second time, and on the question being put for its commitment,

The Duke of Norfolk said, he observed a clause in the Bill, which, in his opinion, was sufficient to vitiate the whole, and to induce the House either to expunge that clause, or to reject the Bill *in toto*. He wished, therefore, to apprise their Lordships, that as he had not opposed the Bill in the usual stage, and as he did not wish to take the House by surprise, he should move for the rejection of the clause subjecting masters of families to a heavy penalty for omitting to make a return of the persons under their roof wearing hair-powder without a licence. The Bill was ordered to be committed on Thursday next.

HOUSE

HOUSE OF COMMONS.

MONDAY, April 20.

Received a message from the Lords, that they will proceed further in the trial of Warren Hastings, Esq. on Thursday next, in Westminster Hall; and that they had agreed to several Bills, and passed several private Bills.

The Report of the Committee of Supply being brought up, a short conversation took place between the *Chancellor of the Exchequer* and *Mr. Hussey*, relative to the deficiency of grants which were mentioned on a former day; after which the resolutions were read and agreed to.

Mr. Hussey moved, that there be laid before the House an account of the amount of payments on the loan, together with discount thereon, the issues and application thereof, &c.—Ordered.

Mr. Hussey then moved, that there be laid before the House an account of the deficiency of the land and malt for the last year. The reason which induced him to make this, he said, arose from a circumstance which made him apply with more than usual assiduity to the manner of taxing the Public. A gentleman applied to him respecting the duty about to be imposed on tea. He took him down to the House, and by the votes, he understood that the duty on that article was to take place at a future day. After this a sale of tea took place at the India House. For the first three days, the tea sold, passed without the additional duty. All the other tea sold was subject to that duty. He feared that some persons might be admitted into the secret, and others kept out of it. This was benefiting private individuals at the expence of the Public.

The Chancellor of the Exchequer said, he did not see any connexion between the motion of the Hon. Gentleman and his observations on tea. There was no secret in the case, because all had access alike to the votes of the House; and the House could do no more than had been done in that case; for as the resolution of the Committee did not respectively name a day, it must be a subsequent one to the passing of the Bill; and from the proceedings of the Lords and uncertainty of the day of giving the Royal Assent, that House could not ascertain the day on which the tax would operate.

Mr. Hussey said, that from all that appeared in the proceedings of the House, the Public, from the confidence they had in the ministers, and without a certain portion of which it would be impossible to transact business in that House, thought that the duty would only commence on the day of sale.

General Smith agreed with *Mr. Hufsey*.

Mr. Fox thought that the House did not do their duty in omitting to inform the Public as to the time on which the additional duty on tea should attach. This, the minister could have informed them. It was not new to fix a particular day when the tax should operate before a Bill passed. This was done in the tax on tea. With regard to the uncertainty of the time of giving the Royal Assent, it was known to be like the rest of the King's public acts, the effect of the advice of his ministers.

The motion was then put and carried.

The House in a Committee of the whole House passed several resolutions by way of amendment to the Act of the present session of Parliament, relative to Dutch property.

Report to be received next day.

The Bill for preventing delays in elections for Members to serve in Parliament for Scotland, was read a second time, and ordered to be committed for Thursday.

Mr. Halhed gave notice that he should on a future day have several motions to make relative to *Mr. Brothers*. The first with respect to the warrant of his commitment and examination before the Privy Council. Secondly, the proceedings before the jury. And if they should be successful, a motion for a Committee of that House to inquire into the existing cause of his present confinement.

Mr. Henniker Major postponed his motion relative to costs of suit on misdemeanours, &c. to that day se'nnight.

Mr. Rose moved for leave to amend the Friendly Society Act; which was agreed to.

HOUSE OF LORDS.

TUESDAY, *April 21.*

Their Lordships having gone through the different Bills on the table, adjourned to next day.

HOUSE OF COMMONS.

TUESDAY, *April 21.*

Mr. Grenville moved, that *Mr. Fox* be appointed one of the Managers, to make good the articles of Impeachment against *Warren Hastings, Esq.*

The question was unanimously agreed to.

Mr.

Mr. Fox then said, that his duty compelled him in this stage of the business to say, that although he would accept with pleasure the honour of the commands of the House, he could not help observing that there was something singular in the proceedings upon this subject. There was a difference of mode in this case, from any that were to be found recorded: From the proceedings in the House of Lords, there were some things which appeared to him to be of so extraordinary a nature in the course of this Impeachment, that he should be justly accusable of offence to the House, if he did not state what he understood to be the mode of conduct adopted in the House of Lords. He knew that one House of Parliament could not, without irregularity, assume a knowledge of what passed in the other; but he wished to know, if the Commons had any means of arriving at accurate knowledge upon that subject, without an inspection of the Journals of the Lords. He understood that their Lordships had agreed to a set of questions to be put to the Lords in Westminster Hall, and caused them to be printed. Whether such a proceeding was or was not necessary upon this case, he did not mean to discuss; but when many of those who felt an interest in this subject, came to examine the questions settled by the Lords, he believed they would be surprised at some of them. Many different parts of some of the charges, *Mr. Fox* said, ought to have been taken separately, to render the whole more intelligible. This was the case in the fourth and sixth article particularly; and those who had attended with regard to the sixth, would acknowledge the necessity of dividing it under different heads. With regard to the sixth, they had omitted stating the question on some of the most important points in the article. He meant the points of the bonds and presents. With respect to the second and third articles they had acted totally different. They had stated in the lump the charges on the Benares and the Begums, and it was well known that they consisted of a great variety of charges; he was not saying whether the charges they contained were well grounded or ill grounded, but they consisted of a variety of charges, as well as the fourth and the sixth articles. Those who were acquainted with the Benares charge, knew it was divided into different heads. The Lords had, nevertheless, lumped them all together, as also the Begums, and by the manner they were now to be determined on, their Lordships would have no opportunity of giving judgment distinctly. On the seventh and the fourteenth articles, which he had the honour to state to their Lordships, it did not appear that any question was to be put on them unless in a sweeping way. *Mr. Fox* said, he thought it necessary to state these circumstances

to the House, standing as he did, in the situation of a Manager. He did not wish to take any step on his own part for the inspection of the Journals of the Lords. But he felt it incumbent on him to mention these things, because they might have consequences in this country of a very serious nature. He therefore thought fit to state the circumstances under which the Managers were bound to enter upon this subject in the present stage of it. The mode of proceeding adopted by the Lords upon this, was different from any other Impeachment * that ever was carried by the House of Commons. The novelty of the proceeding made him state it to the House; and a question might arise whether that point might not be worthy of consideration in that House, or whether it should be suffered to pass entirely unnoticed. The House of Commons was the guardian of the constitution of this country. Its duty, amongst other things, was to watch over the proceedings of all courts of justice in this kingdom, and the proceedings of the House of Lords were not superior in that point of view to the force of that function in the House of Commons. He had on his own account nothing to move upon this subject; but in whatever way this affair should end, he was proud to say it would not appear, that the Managers had been inattentive to their duty in the prosecution of it, or in defending and maintaining what appeared to them to be the honour of the House of Commons.

The question, that Mr. Fox be a Manager, was then put and carried; as were also the motions that Mr. Sheridan and other Managers be appointed, and that the standing orders of the House, made on the 6th of February 1788, be observed.

The Bill for the more effectually executing the Act of Parliament for determining controverted elections, was read a second time, and ordered to be committed on Friday.

MANNING THE NAVY.

The Chancellor of the Exchequer moved the Order of the Day, which was for the second reading of the Bill for augmenting the Corps of Artillery, and for transferring to the navy those of the militia who are seafaring men; which was, after a few words from *Mr. Taylor* and *Colonel Sloane*, agreed to.

Mr. Hobart brought up the report of the Committee on the Dutch Property Bill. The resolutions were read and agreed to.

* This Impeachment certainly has been an anomalous proceeding; and therefore it is somewhat singular, that a man of Mr. Fox's known quickness of understanding should talk of other proceedings under Impeachments.

PETITION FOR PEACE.

Mr. Grey presented a Petition signed by the Common Officer of the Guildery of Dunfermline, against the war.

Mr. Grey then said, that he should move for this Petition being laid on the table with other petitions; which, in his opinion, called for the immediate attention of the House. An Hon. Gentleman had given notice of his intention of bringing forward, before the end of this session, a motion on the subject to which this petition referred. *Mr. Grey* said, he should rather see that subject in that Gentleman's hands; but if he did not bring it forward, *Mr. Grey* said he should bring it forward himself.

The Petition was then ordered to be laid on the table.

Mr. Halhed proceeded to the following effect:

"When I had the honour to make a motion in the House this day three weeks relative to the books written by *Mr. Brothers*, it cannot be supposed that the actual situation of the author was out of my mind—very far from it: I had, indeed, on that day designed to bring forward the subject in the form and manner in which I now present it, but altered my plan in consequence of a desire from an Hon. Member, my particular friend, and whose opinion has always great weight with me. When I had so deviated from my original idea, I had the misfortune to be told by the most respectable and most respected authority in this House, that the motion I was about to make was exceedingly objectionable in point of matter. In this situation, which way can I turn myself? What rule shall I adopt for my conduct?—None; none but my own sense of duty; a conscientious discharge of those functions which the British Constitution, so justly venerated by all of us, has consigned to that branch of the Legislature, of which I form an unworthy part, must and shall be my guide. Independent on principle, and attached to no party, I will not flinch from the task imposed on me by the hand of Providence. But I will certainly, by every conciliatory argument, endeavour to divest disapprobation of its frown, and disarm prejudice of its severity.

"Sir, the papers which, according to my notice of yesterday, I shall this day move to be laid on your table, are the Warrant from the Secretary of State for the Home Department, by which *Richard Brothers* was arrested on the 4th of last month, on suspicion of treasonable practices, together with the information on which the warrant was founded; and thirdly, the minutes of the whole proceedings, held at

the King's Head Tavern in Palace-yard, on a writ *de lunatico inquirendo*, together with the verdict of the jury there impannelled. If any one of those papers are granted, on them I mean to ground a motion for the House to resolve itself into a Committee, to take the whole matter into consideration, and that the House may afterwards give such relief thereon, as to its wisdom shall seem requisite; and as to-morrow is an open day, I hope I shall be indulged with so favourable an opportunity for my purpose.

"When I reflect on the subject of my motion, on the 31st of March, I own I am both surpris'd and concerned that it should have experienced so little attention. For it must have been demonstrably evident that I could have no private or personal views in the business; even if I had not so pointedly disclaimed them; and that the disregard, dislike, contempt, and abhorrence with which I have heard the books alluded to, occasionally branded, are either just or reasonable, I am still so ignorant or so obstinate as not to comprehend. But when I consider the exceeding variety of tempers, dispositions, characters, and pursuits, necessarily existing among so many different persons, that I should not have found one gentleman to second me, is, I confess, a subject of extreme astonishment. For when a topic, pregnant with religious allusions, and professedly (even if we suppose it mistaken) founded on the grand basis of Christianity, claimed nothing more than a deliberate discussion, where were the promoters of the Sunday Reform Bill? When the cause of a suffering and persecuted individual pressed (though obliquely and by insinuation only) on the notice of the House, where were the meritorious defenders of Muir and Palmer? When dangers, however visionary, were announced as threatening that Parliament and this nation, where were the indefatigable detectors of the affiliated democratic societies? When imputed insanity was offered for consideration, where were the invincible bulwarks that preserved regal delirium from an intrusive regency? Alas! alas! they must all have been sick or sleeping, or peradventure on a journey.

"Well, Sir, thus my motion of that day did thus surprisingly fall to the ground; I most implicitly trust it did not wholly fail of its intended effect. Many Gentlemen, I am convinced, did read Mr. Brothers's book during the interval of the recess, and some I knew to have applied for, and received them from the author himself, previously to that period. Wherefore, though by my former ill success I am precluded from direct application to the contents of those books,
I am

I am perfectly warrantable in alluding to them as of public notoriety; and indeed few compositions since printing was first invented have excited more general attention.

"Any man who considers my former motion must at once discover that it led to those which I shall presume to offer this day; and I should have thought myself unpardonably negligent of my duty, whether as a legislator or a Christian, if I had suffered the business to evaporate, after once taking it up, without, at least, straining every nerve to procure some substantial redress for the persecuted individual, who is known to have been the ultimate object of my exertions.

"Had I in the former case succeeded, it would have been very natural, Sir, that I should beg of the House at large to point out any passages in the books I have mentioned, from whence the slightest tendency of a treasonable intention could be inferred. I myself know of none. That alone which had been hinted to me, or which I had any reason to suspect, as in the remotest degree liable to such an imputation, I clearly explained upon the former occasion. And the more pointedly to evince my perfect conviction of the innocence of these books, as far as treason is concerned, I here, in the face of the House, adopt the whole of them as my own; I subscribe to every assertion in them, from the first to the last; I make myself a conscious, a willing accomplice to all the guilt contained in them—" *Habetis confitentem reum*," and I desire nothing more than to be proceeded against legally, and up to final judgment and sentence upon those grounds. If now there be treason lurking in these publications, I am committed beyond all evasion, and Gentlemen know what to think of me. But I am firmly convinced no such accusation can be thought to attach, and that I am in no danger. And as I trust that hitherto, and up to the very instant of these assertions, I have ever maintained the character of a faithful subject, and true to my oath of allegiance, I shall, for the present, venture to assume it as a fact, that the writings in question, as far as they go, are not treasonable. Their author, then, must have incurred this dreadful imputation from some other circumstance. Is it offensive, is it indecent, is it unparliamentary to inquire of what nature that damning circumstance may be?—for I neither know nor have heard, nor can possibly conjecture any one.

"Last year, when various persons were taken up by similar interference of the Executive Power, we were fairly and candidly told the grounds of their arrest. The formation of a connexion with popular societies, formed on principles resembling those of the Jacobin clubs in France, and deemed

to

to be equally subversive of all regular government, were the ostensible plea of their imprisonment.

"Here is a ground to stand upon. Here is a fact held up to the warning of every one: To be a member of a club, or at least of a certain description of club, subjects a man to the suspicion of treasonable practices. Was Mr. Brothers the institutor of any such club? was he even member of any club at all? I answer authoritatively—No.

"Well, but it may be said if a number of persons be collected together, even without the form or name of a club, treason may still be disseminated at such assembly. If the names of President, or Chairman and Secretary, be commuted for those of Minister and Clerk, the mischief may be no less serious and no less apparent. For do we not know that Oliver Cromwell was himself a preacher, and subverted the constitutional government of the country by means of field-preachers? I answer, Mr. Brothers was no preacher, he never assembled nor thought of assembling any congregation whatever. He never took the lead, or named the topic of discourse, and he had neither more intention nor more appearance of calling an assembly for seditious purposes, or for any purpose whatever, beyond that of general conversation, more than you, Sir, have at your levee, or the President of the Royal Society at breakfast.

"Mr. Brothers was generally at home a few hours in the morning. Inclination, curiosity, example, occasional belief in his predictions, induced other persons to call upon him, and he was never denied to them. Members of Parliament and ladies of quality have met there without blame and without offence. Sometimes he was civilly treated, and very often connived at, and not seldom abused; but he was uniform, calm, obliging, moderate, and consistent withal. In this part, therefore, of his conduct, I am totally at a loss to discover any outline of the traitor; and if others more quick-sighted than myself, have seen deeper into particulars, I hope it will be communicated to the House this day for general information. Arguing, however, from deep personal knowledge of him as far as it goes, I assert with no less boldness of his way of living than of his books, that no treason whatever can be detected in either.

"It follows that if there can be no treason there must be much insanity about him; for something undoubtedly we must *assume as the cause* originally of his arrest, and hitherto of his imprisonment. Now, Sir, by what test shall we try him on this head? I sincerely hope not by the investigation at the King's Arms Tavern, for if the proceedings, which I mean

mean to move for are fairly brought forwards, as, doubtless, they have been; I am sure I shall prove the evidence on that head to have been completely insufficient and nugatory.

"Now, Sir, if the books I formerly moved for lay at present upon your table, I should desire neither more nor better evidence than common consent to evince to the satisfaction of every reasonable man, that the writer leave not the slightest tincture of insanity about him.

"I would ask, what is the object professedly proposed by those books?—the restoration of peace. From one end to the other, in every page, and in every sentence, we may visibly trace this one grand prominent feature. Sometimes it is urged on the score of political advantage—sometimes on principles of religious duty. Here it is recommended by a striking picture of its beneficial consequences—there contrasted by a terrific display of the calamities of war. The author shifts his arguments, and diversifies his representations, to suit every species of understanding, and accommodate himself to all the various classes of his readers—and is this madness? Is that versatility of thought and sentiment, which in all other writers is deemed one of the first essentials of genius, to be wantonly and unfeelingly misconstrued, as the wanderings of deranged intellect, because it may not exactly suit the temper of the times? Forbid it every principle of virtue and justice—forbid it every spark of humanity and philanthropy! In proof of what I have here faintly attempted to describe, I might appeal to a thousand passages, scattered over every part of Mr. Brothers's works; but I will produce only one. It is in the 41st page of the second book, and a more striking example of sound abilities, and correct imagination, I am well persuaded could no where be selected from Demosthenes, or Cicero, or any other of the best human authors, ancient or modern. This is a comment on the 27th verse, 7th chapter, of Daniel.

"In what I have taken the liberty to state to the House on the present occasion, I hope, Sir, I shall not be so widely misunderstood, as if I endeavoured to throw an odium, or set up an accusation against any of the members of Administration, or any other persons of respectability whatever. I have no such intention. If spies and informers, basely stabbing a man's fair fame in the dark, have misled the candid and unsuspecting minds of liberal Gentlemen, let us unmask their hypocrisy, and rescue their victim from unmerited punishment. If medical pretenders, relying on visionary theories, or with a deep-laid plot of systematic villany, have conspired to cry down a man's intellect, and to rob him of hea-

ven's choicest inheritance—his sanity of understanding—let us expose their ignorance, or chastise their depravity by effectual interference. All I wish is to procure redress for an undeserving sufferer, as I deem him, or to gain some conviction of the justice of his sufferings; and that this, Sir, is not an easy matter, or a matter attainable through any regular official channel, I hope to make fully evident; nor indeed do I know of any channel but that of the inquisitorial authority of this House, by which the relief I seek, which Gentlemen will allow must necessarily be prompt, if we would have it efficacious, can possibly be obtained.

"The person in question, is a suspected traitor in the power of the Secretary of State—as a lunatic he is immediately under the care of the Lord Chancellor. If I apply to Chancery, I must naturally expect to be told, he is a *State prisoner under warrant from Government* for treasonable practices. If I refer to the Secretary of State's office, I shall have the same answer as that which was given to another friend of his: That he is not properly understood in that department but as a lunatic, is to be sent to some hospital, where, *perhaps*, by leave of the governor, I may be permitted to see him. Between those two Noble Personages, while I am bandied about like a shuttlecock, Mr. Brothers may be transferred to a third or a fourth department; whither all my industry may be exerted in vain to trace him. All I require, therefore, is to discover with precision, whether this Mr. Brothers be a traitor or be a lunatic. He may possibly be neither, but it is morally certain he cannot be both. I neither wish to palliate any crimes he may have committed, nor to screen him from any merited punishment of the law.

"A few words more, Sir, and I have done. I have caused to be delivered at the door a printed paper, written, I confess, partly on another subject of personal controversy, though bearing immediately also on my present motion. I most sincerely apologize for its intrusion, and I hope I shall be forgiven when I mention that it is done precisely for the purpose of taking shame to myself in having there inserted a proposition which is not warranted by fact. As far as that assertion goes, I can say nothing in my own defence. I admit it to be false, and ask pardon for its insertion. I have there said, that "the verdict of lunacy was brought in at the very meeting before ever the person to be decided on was examined at all," and I now know that his examination was previous to the verdict. They had only made up their minds to it before they saw him. *I eat my words.*

"Now

" Now with respect to the documents which I move for; they cannot, I think, betray any secrets of state, for if there existed a plot of which Government wished to explore the different ramifications, before they promulgate their information, I think the verdict of lunacy is effectually done away. A conspiracy headed by a madman can be no very tremendous object, nor do I think his accomplices could have so long lain hid when their chief was in confinement; and if this supposed conspiracy lay in his books, why, after the open warning I gave three weeks ago, has no step been taken to impede their circulation?

" The examination before the Privy Council, I am pretty well assured, may be published without any danger; all was politeness, candour, and good sense in that quarter; and though curiosity might be gratified by the publication, no new article would from thence be added to the catalogue of treason.

" Of the verdict of insanity I have little to say; the jurymen themselves are not very consistent in their accounts of it, which may a little palliate the error I have acknowledged; but if their proceedings are granted to my motion, opinion will then have something solid to rest on.

" I now conclude—most earnestly entreating Gentlemen to consider themselves as representatives of the whole British nation, to be meritoriously employed in redressing, where it may be possible, the accidental oppressions of any one British individual, however obscure—and I hope that a man who has creditably served his King and country, in the royal navy, the pride and the bulwark of the empire, will never appeal in vain to a British House of Commons.

" I therefore move, Sir, that a copy of the Warrant of the Secretary of State, for the apprehending of Richard Brothers, be laid before this House, together with a copy of the information on which this motion was grounded."

Mr. Halhed having given in his motion,

The Speaker asked, "Who seconds this motion?" There being no answer, he said, that as it was not seconded, the motion could not be put from the Chair.

MOTION FOR PEACE.

Mr. Wilberforce said, that as an Hon. Member had alluded to him as to his intention of bringing forward a motion in conformity to his notice, he could say he had made up his mind on that subject. The object he had in view was to facilitate the obtaining of peace. When he should move it, he could not precisely tell. He thought it would be better

near the end of the session than at present—"When, when?" was whispered through the House. To which Mr. Wilberforce answered, "perhaps this day fortnight."

Mr. Esfe moved, that the Order of the Day on the Bill for preventing the vexatious removal of poor persons be discharged.—Ordered. He then moved, that the Bill be committed on Monday.—Ordered.

He next gave notice that he should move to discharge the order for hearing counsel on that day.

The Speaker gave notice that he should take the chair at 11 on Thursday morning, to be ready to proceed on the trial of Mr. Hastings.

Adjourned.

HOUSE OF LORDS.

THURSDAY, *April 23.*

HAIR-POWDER BILL.

The House having resolved itself into a Committee on the Bill enacting that every person who wears hair-powder, shall take out a certificate, the *Duke of Norfolk* desired that the clause, subjecting masters of families to a penalty, on conviction of having failed to give in a correct list of their servants wearing powder, and of having knowingly suffered a servant to wear powder, whose name was not in the list he had given in, might be read. The clause having been read at length,

The Duke rose, and objected to the clause, not only on the ground of its being oppressive and severe in its tendency, but as being so to no purpose whatever. His Grace said, he had ever understood it to be an invariable principle in all Tax Bills, that any clause imposing a penalty, should necessarily conduce to promote and secure the object of the Bill. The clause imposing a penalty of 20*l.* on masters of families, which had been just read, his Grace contended, was unjust and oppressive in the extreme, and that without any reason, as it did not tend in the smallest degree whatever to further the object of the Act. It obliged a master to turn informer against his own servants, exposed him to the disgrace of being proved guilty of what no Gentleman would be guilty, *viz.* of having signed his name to a falsehood, or rendered him liable to a heavy expence. He put the supposed case, that a master of a family should once accidentally meet a servant powdered, whom he neither knew nor wished should wear powder, and having forgot the circumstance, should omit to insert the name of that servant in the

list he gave in, suppose that a third person happened to stand by when the servant wearing powder as above described was seen by the master, and should be brought to prove, that after having given in his list, his list was defective in respect to the omission of the name of the servant in question; in that case the master must either turn informer against the servant, or pay the penalty. His Lordship said, no man was more ready to confess his approbation of the principle of the Bill, than he was; he thought the tax a wise one, and likely to be efficient, but he saw no reason why it should be thus arranged in the mode of collecting it. Few masters of families knew, or were likely to know if all of their servants wore powder. He did not mean to be ludicrous, and therefore he would not talk of female servants, because he saw what whimsical ideas might be imagined to be alluded to, whereas he meant to treat the subject seriously and gravely, to call their Lordships attention to a real grievance and act of injustice, for such the clause would unavoidably prove in its operation, if it were suffered to stand. His Grace added further observations, and at length concluded with moving that the clause be rejected.

The Lord Chancellor said, he felt very differently upon the subject from the Noble Duke. The tax was not only in itself a good one, but he had pretty good reason to believe it was in the consideration of all men a favourite, and particularly so with those who were to pay it, viz. the servants themselves. It was not only to be praised as a tax on vanity solely, but as a tax likely to prove extremely efficient and productive. So far therefore from there being any propriety in their Lordships interposing to impede the Bill in its progress through the House, after it had passed the House of Commons, he thought it in the highest degree unbecoming, being persuaded that it would be a most unjust stigma on their Lordships, if any such imputation could be brought against them. The impression that it must necessarily make upon the public mind, to find that their Lordships, of all descriptions of men, were those alone who chose to throw an obstacle in the way of a tax, popular in the extreme, as he verily believed this tax to be, so far from being favourable, must be unpleasant and highly injurious. The largest description of the immediate objects of the Bill, the servants in families of persons of rank, who chose to be waited on by servants well dressed, he had no doubt were glad that some means had been resorted to in order to distinguish and mark their superiority over servants of a different description. His Lordship begged leave positively to deny that the clause would operate in the manner in which the Noble Duke had conceived it likely to operate. The master of a family

mily was not rendered liable to a penalty of 20l. unless he was himself wilfully neglectful of complying with the conditions of the statute. He was only called upon to give in a list of such of his servants as he knew to be liable, nor could he be convicted unless it were proved that he *knowingly* gave in a false list. Every master of a family was presumed to know what the style of dress of his servants was; in the line of life subordinate to that filled by their Lordships, where a man had apprentices, it was his duty that his apprentices were clean on a Sunday, and decently dressed; if they wore powder against his will, he could resort to a remedy; if he chose they should wear powder, it could be no hardship upon him, as he could not complain of hardship or oppression if he were called upon to pay the amount of the tax for each of his apprentices who with his consent wore powder. His Lordship said, some consideration was due to the time stated in the Bill for the commencement of its operation. It was clearly a money Bill, and the possible effect of any alteration in it by their Lordships was well known. He did not mean to give rise to a discussion on that point, as it might lead to length, and was not at all necessary to the subject matter of debate. Their Lordships had undoubtedly a right to make any alteration they thought proper in each individual Bill that came before them, but he confessed he should be sorry to see such an Act lost, and most particularly to see it lost by any interposition of their Lordships, whose opposition to the measure would, as it struck him, appear most ungracious, and repugnant to the people. In short, he saw no occasion for rejecting the clause, and in fact, the Bill would in his mind be most materially defective, if the clause were thrown out.

The Duke of Leeds said, there appeared to him to be a part of the operation of the Bill, which required explanation. Supposing that a servant, who wore powder, and for whom his master had paid for a certificate, should leave his service soon afterwards, and another servant is taken in his place; is the master to pay for another certificate, and thus pay the tax twice?

The Earl of Guildford said, he could not help differing from his Noble and Learned Friend, and rising to support the Noble Duke's argument. He considered the Bill as likely to prove extremely oppressive and highly injurious to masters of families, who would be subjected to the payment of a heavy penalty, in many instances where they could not possibly avoid incurring it. So far from thinking with the Noble and Learned Lord that every master of a family must necessarily know whether all or which of his servants wore powder, he must contend that the very reverse was the state of the case. Masters
of

of families, who had large establishments, knew whether their principal men servants who attended upon them personally wore powder or not; but their Lordships would have the goodness to recollect that the female servants did not usually appear before them. Neither could he coincide in the opinion that it must be the wish of any master that all his servants should wear powder. His Lordship, after further reasoning, said, that one strong, and, in his mind, insurmountable objection struck him, *viz.* that the clause in question must be nugatory for the ensuing year. By the Bill, masters of families were called on to give in lists of such of their servants as wore powder between the 10th of April and the 10th in each year, and the 10th of April in the next year, a thing impossible to be done the present year, as the tax was not to take place and commence its operation till the 5th of May next, consequently a month would have elapsed of the present year. His Lordship concluded with declaring, that he should vote with the Noble Duke, if he thought proper to take the sense of the House.

Lord Hay (Earl of Kinnoul) said, he thought the tax a most eligible one, and that it particularly behoved their Lordships to give it their most cordial support. He had listened to the arguments urged against the clause in question with great attention, and he feared there was something valid in the Noble Duke's objection to the clause, in which case, he should wish to have it altered, but should feel great pain, if so popular a tax Bill, all circumstances considered, were lost.

The Earl of Moira said, he felt very differently from every Noble Lord who had spoken on the subject. He not only objected to the particular clause under consideration, but to the principle of the Bill itself. He thought the subject of the Bill, not only an improper subject of taxation, but peculiarly ill timed for the imposition of duty. The present moment was perhaps of all others the most unfitly chosen to draw a line of distinction between the high and low, the rich and poor. Such a line of distinction, in its nature invidious and disgusting, was at all times to be avoided, but most to be avoided just now, because most unwise under the peculiar circumstances of Europe. Their Lordships would not therefore be surprised at hearing him declare that the Bill, generally considered, revolted his feelings, and he would say, his judgment likewise. So decided was his opinion on the subject, that if he should happen to be present on the third reading, he would certainly give it his negative.

If the objections of the Noble Duke were met, and the clause in question were modified, it would certainly make the Bill less unpalatable to his mind. But even that could not do
away

away his dislike of the principle of the measure itself. The Noble Duke's objections were certainly valid, as applied to the particular clause under consideration. The tax was severe enough in every point of view; but the clause appeared to him to be severe on masters of families, without answering any adequate purpose; and when the Legislature imposed a tax that was in its operation to bear particularly hard on one description of subjects, the injustice was in some degree qualified by the necessity to make the tax efficient, and the evident reason was, that unless the individual hardship were permitted, it could not be so rendered efficient. But here was injustice which would not add to the efficiency of the tax. It was, he conceived, impossible for masters of families to know whether all their servants wore powder or not, and yet, if, as has been stated, any of them did wear powder, and it could be proved that the master had accidentally seen the servant powdered, he was to be liable to the heavy penalty of 20*l*. His objections went however much farther than to the particular clause. The tax was said to be a tax on vanity; he did not mean to be ludicrous, when he asserted that a tax on wearing breeches might with just as much reason be deemed a tax on vanity: Breeches, in the consideration of a Highlander, would be regarded as a decoration originating in vanity, and by no means a covering required by decency or necessity, as he himself could by his daily habit and practice prove, that breeches might well be done without. He assured their Lordships he meant this as a grave and serious argument, and he would ask the Noble Viscount near him if he would next year recommend it to his Majesty's ministers to impose a tax on wearing breeches. This might just as well be done, and if it were, he would ask if all men, at least all resident in the southern part of the country, would not revolt at it, and say that breeches were not a luxury, but a necessary, indispensable to general decorum, and to the comfort of individuals. The Highlander would nevertheless say, No; breeches are an idle luxury, and not a necessary. So in like manner if a man chose to wear hair-powder by way of decoration of his head (if it might be termed a decoration), might not he say, Hair-powder is not a luxury, the habits of life, the customs of the age, and the general practice, have all contributed to render it so much and so generally in use, that for me to leave off wearing it, would be to disgrace and make me ridiculous in the eyes of others? His Lordship added further argument to prove the bad policy of such a tax, at any time, but most especially under the present circumstances, and at length repeated his declaration, that if he should be present at the third reading of the Bill, he would give it his negative.

In

In the mean time, he thought the Noble Duke's objections insurmountable, and therefore he wished the clause in question might be either rejected or modified.

Lord Sydney assured the Noble Earl he did not rise with any design to accept the challenge, and propose a tax of the extraordinary sort which the Noble Lord had mentioned. It was enough for his Majesty's ministers, whose peculiar duty it was, to find taxes, a duty which they had discharged for a long time in an unexceptionable, but this year particularly, in a most commendable manner; he left it therefore to them to suggest new taxes, whenever they were necessary. What he rose for was principally to make an observation or two upon the argument of the Noble Duke, who opened the debate. In the first place, he thought the tax an excellent one, and he had no doubt of its being extremely popular. Nor could he easily find out any solid objection to it. No man was obliged to wear powder, and it could not be termed a necessary; the tax, therefore, as it had been called, was neither more nor less than a tax on vanity, and therefore one of the properest species of subjects of imposition in times of exigency, when great sums were to be raised with least burden to the lower and most distressed ranks of the people. With regard to the clause complained of by the Noble Duke, he really saw no great hardship in expecting the master of a family to give in a list of such of his servants who wore powder, once every year; and however at first masters of families might feel some little difficulty upon the subject, that could only be trivial, and would soon vanish entirely. His Lordship made several more observations in praise of the tax, and in defence of the clause objected to.

The Earl of Moira spoke shortly in reply.

The Duke of Norfolk rose again, and professed himself anxious to call back the attention of the Committee to the particular tendency of the clause, which he must still complain of as oppressive upon masters of families, without any reasonable plea for it. It obliged masters of families either to pay the tax for their servants, to render themselves liable to a heavy penalty, or to expose them to the chance of being proved to have falsified their own signatures, and given in false and incorrect lists, in instances wherein they really might have no such intention. He repeated the case which he had put in his first speech, of the master of a family accidentally meeting one of his female servants powdered, while in presence of a third person, and through forgetfulness omitting to insert the name of that servant in his list, delivered in to the proper officer; he argued upon the consequences of such accidental omission, and contended, that the master must either turn informer against

his servants, or pay the tax for the poor girl. Above all, he insisted upon it that there was no real use in the clause, and that the Bill would stand, and every necessary end of imposing the tax be answered, just as well without the clause as with it.

The Earl of Hardwicke saw no sufficient ground for the objection raised, but considered the tax as a most unexceptionable one—a tax likely to be extremely popular, and to prove productive, without in any degree falling upon the shoulders of the lower and hard-working orders of the people. He could not by any means agree with the Noble Duke, that the clause under consideration would oblige the master of a family to turn informer against his servants, in the invidious sense of the word Informer. Let their Lordships recollect the origin of the term, Informer; and how the odium of the populace became attached to it. It was formerly held invidious and disgraceful, when applied to informations for neglecting attending on religious service; but every thinking man must deem it meritorious to be an informer for the public good, as in cases where frauds were attempted to be practised to the diminution of the revenue. After having clearly laid down the distinction, his Lordship said, probably the clause might admit of modification; but he should be extremely sorry if the Bill were endangered, and a tax, that promised to be equally popular and productive, materially defalcated in the amount of its probable produce. Among other recommendations of the tax, surely not the least in consideration was, that if it should happen to diminish the quantity of hair-powder manufactured and worn in future, it would lessen the consumption of those valuable essentials of life, corn and flour, which were wasted under the name of hair-powder.

The Lord Chancellor, during part of the debate, had gone to the table, and run his eye over the clauses of the engrossed copy of the Bill; when opportunity offered, therefore, he rose again, and delivered his opinion at some length, in favour of the principle of the tax, and of the particular clause in question. The Bill, as well as he could catch the general tendency of its purview and provisions, from a cursory perusal of its clauses, meant this great object—to raise an efficient tax to a large amount; and every clause of it appeared to be drawn with a design to further that purpose. Without the clause objected to by the Noble Duke, the Bill would be good for nothing; so material was that clause to the general object. It was utterly impossible to ascertain the particular meaning and bearing of each clause, without considering them collectively, with relation to each other, and as one served to illustrate the other,

other. The Noble Duke still persisted in contending, that the clause under debate obliged the master of a family to turn informer against his servants; he denied that it did so in the odious sense of the term Informer, which the Noble Earl had correctly explained to have originated in its application to those who informed against their neighbours, for neglect of religious duties. With regard to the supposed case that the Noble Duke had put, of a master's happening accidentally, in the presence of a second person, to have seen one of his female servants powdered, the circumstance escaping his recollection, and his omitting to give in her name in his list when he delivered it—it was in the first place an extreme case, and a case scarcely likely to happen as long as the Bill endured. All masters of families, he took it for granted, would pay for their servants wearing powder; where that was not the case, servants were by the Bill made responsible for themselves, if they wore powder, as they ought to be. Masters of families could not but know whether their servants wore powder or not: Hair-powder would naturally and unavoidably challenge their notice; and if it had not excited their curiosity heretofore, the obligation of the Bill would call upon them to inquire. Servants, on the other hand, must know whether their masters were aware of their wearing powder or not; and they must also know, that if they did put powder in their hair, either their master or they themselves must pay the duty, and take out a certificate. The clause imposed no hardship on masters of families, whose duty it was not to stand by and see the revenue defrauded, when they could not but fully know how much the exigencies of the times required that the public revenue should be rendered as productive as possible. It seemed to have escaped the notice of those Noble Lords who complained of the hardship of the clause, that masters of families who meant to do what was right by the tax, were in no danger. They must be convicted of having *knowingly* given in false and defective lists, before they could be made liable to the penalty. Having urged a variety of arguments in reply to the objections that had been stated, the Lord Chancellor spoke of the great indiscretion of that House interfering to throw a difficulty in the way of a Bill, professedly imposing a tax on a luxury, if not peculiar to families of rank and distinction, inseparable from their habits. Did any Noble Lord imagine that an opposition of that nature would come with a peculiar grace from that House in a time of confessed distress and public exigency? Let them for a moment consider the construction it would be liable to without doors. Let them also reflect upon the danger in which a rejection of the clause

would put the Bill itself. Most Noble Lords approved the principle of the Bill, and yet that would be set at hazard if any alteration were made in the clauses. The Bill was avowedly a money Bill; and though he would not impeach, in the smallest degree, the right of the House to make any amendment or alteration whatsoever in every Bill that came before them, be it of what nature or description it might; yet they all knew the practice of the other House, in regard to money Bills, in which their Lordships made any alteration. Would it, therefore, on considerations of discretion or prudence, be wise to run the risk of losing the Bill? Even supposing that the other House were to bring in a new Bill, adopting the alteration; that would be open to new discussion and new objections, if started. Much time would, therefore, be lost by rejecting the clause; and a new Bill might not pass. Besides, the Noble Duke, if he understood him rightly, had proposed no modification of the clause, but a total rejection of it. For these reasons, his Lordship said, he should vote for the clause as it stood.

The Duke of Norfolk confessed, that he had no modification to propose; he really saw not how the clause could be altered, so as to cure and remove his objection. He could by no means agree that all masters of families would pay the tax for their servants; but, on the contrary, must contend, that they would be unwilling either to pay the tax for their domestics, or to suffer them all to wear powder; and the hardship would lie in their acting upon that feeling, and yet be rendered liable to incur the penalty, under certain circumstances. He was a firm friend to the principle of the tax; but he was persuaded, so far from its being an improper thing for their Lordships to interfere with the regulations of a tax Bill, they were in this instance bound to protect the masters of families from unnecessary hardship and oppression—and such, he contended, the operation and effect of the clause in question, if passed into a law, would prove. He denied that the clause could, properly speaking, be deemed a money clause; and he reminded their Lordships of their frequent practice in respect to Enclosure Bills, where they without scruple altered clauses, and without any danger to the Bills. There were, he observed, generally two parties to an Enclosure Bill; one party, who were interested in the passing of the Bill, and gave it their support—the other, adverse to it, and who opposed it in every stage; and yet when they altered or rejected clauses in an Enclosure Bill at their discretion, the other House did not complain of it, but adopted their Lordships amendments, and passed the Bill so amended. His Grace said, he did not by any means wish

wish to discommend the jealousy of the other House, in respect to the great constitutional question of money Bills; he believed great good to the Public had arisen from it. Having put this strongly, the Duke said he had heard nothing that in his mind was a sufficient answer to his former argument—he should, therefore, persist in his objection to the clause: And he accordingly moved that the clause be rejected, declaring his intention to take the sense of the House upon it.

The Earl of Guildford rose again to support the motion; he declared he could not agree with the Noble and Learned Lord's position, that masters of families would pay for their servants; he thought the reverse was much more likely to be the case; and on that idea he founded his argument against the clause in question—it was on that ground that he rested his objection, as he saw clearly that a master who disapproved of the practice among servants of wearing hair-powder, and who was far from wishing all his servants to wear it, might in some cases either be obliged to pay for a servant's wearing it, or incur the penalty. The Earl admitted that the Noble and Learned Lord's arguments were good, if it were the principle of the Bill, or the tax itself, that they were opposing; but that was not the case. He for one highly approved the tax itself, and therefore he wished to render it as palatable as possible to those who were to pay for it. Supposing even that the Commons were to throw out the Bill on account of the alteration, the Commons would do as they had done in various other instances; they would bring in another Bill, nearly the same, nay, the very same, as that they threw out, and pass it in a few days, so that scarcely any time would be lost. But there was another consideration, and that a material one, *viz.* that the clause would be perfectly nugatory for one year at least, and for that period would have no effective operation at all. The clause required every master of a family to give in a list of such of his servants as wore powder between the 5th of April in one year and the 5th of April following; the present Bill was not to commence before the 6th of May, consequently no master of a family could comply with the clause, as far as related to the period of time between the 10th of April 1795 and the 5th of April 1796. His Lordship concluded with declaring, that if the Noble Duke did take the sense of the House, he should certainly vote with his Grace.

Lord Auckland said, that undoubtedly the Bill would be rejected by the other House, if the clause under discussion should either be omitted or modified: But without meaning to disparage a pretension of the House of Commons, which was founded on great constitutional principles, he should still think

think it his duty, as a Peer of Parliament, to make in money Bills any alteration that he might think substantial, or of sufficient importance to compensate the delay of a few days. But having said this, he must add, that the clause objected to by the Noble Duke, did not appear to him to be affected by any of the reasons that had been brought against it. The general principle of the tax was not disputed. The emergency of the times, the essential interests of the country, had induced a necessity to impose new taxes: A tax on the wearers of hair-powder, though liable, as all taxes are, to some objections, was admitted to be one of the least objectionable that could be brought forward. If then it were a right tax to be imposed, it seemed to be a necessary consequence, that their Lordships must concur in rendering it fully and justly productive: The clause in question was for that purpose. It had been said of that clause, that it converted masters of families into common informers. But was there not more sensibility than good sense in this objection? was it not a mere play upon words? Of what were masters of families to be informers? Of the number of persons within their household, who to their knowledge and belief ought to pay the tax. They were accordingly to give in an annual list of the names of such persons. If those persons had paid, the list would serve to shew the exactitude of the family: If there should be any in the list who had not paid, it would subject them to be called upon to do what in strict integrity they ought to have done voluntarily. And surely it was to be wished, both in a moral and political sense, that one part of a family should not be permitted to avoid its share of the public burdens, whilst the other part was honestly bearing its full proportion of them. His Lordship confessed, that when he first heard the objection of his Noble Friend (the Earl of Guildford), that for the current year's operation of the Bill the clause would be nugatory, on account of its directing that a list was to be made out in each year, between the 10th and 19th of April in the present year 1795, up to the 5th of April 1796; whereas it would not commence its operation prior to the 6th of May; it had struck him as an objection of some weight against the clause, inasmuch that for a moment he had imagined it would be wise either to amend or reject the clause, even if it should affect the Bill in another place; hoping in that case that a new Bill might be brought in, and passed in time, to lose not a single day's effect of the produce of the tax. Upon maturer consideration, however, it occurred to him, that even come to the worst, the inconvenience would not be very great; as the master of the family, when called upon to pay for such of his servants named in

in his list as wore powder, in case the fact were so, might easily clear himself, by saying, "It is true, such of my servants as are stated in my list to have worn powder, did wear it in April last; but on or before the 6th day of May, when the operation of the Act commenced, they left off wearing powder, and have not worn it since."

Lord Hay rose again, and commended the tax as an admirable one, but wished it to be made less objectionable in respect to the clause in question: His Lordship was proceeding to explain the grounds of his opinion, when he was reminded by several Noble Lords near him, that he had either read the clause inattentively, or misapprehended its effect. His Lordship, therefore, proceeded no farther.

The Duke of Norfolk said, it was because he was a friend to the tax, and wished it to be efficacious, that he was so earnest to rescue masters of families from the operation of a clause, which, he must still insist, did not at all tend to further the object of the Bill. His Grace said, he wished to render the tax at once productive and palatable to those who were to pay it, and therefore he should persist in his motion.

The Earl of Moira concurred in the same sentiment, and assigned his reasons for it.

At length, the question being put, the Lords divided:

<i>Contents</i> (that the clause stand)	11
<i>Not Contents</i>	6

The report of the Committee was then agreed to, when

Lord Mulgrave rose, and expressed his regret that he had not been earlier in the House, as he meant to recommend to their Lordships consideration and relief a most meritorious class of men, on whom the tax would operate in a manner not burdensome in point of fact, for they could not possibly afford to pay it, but in a manner extremely mortifying to their pride, and deeply wounding to their feelings: He meant the officers in the army on half-pay, who did not receive 100*l.* a year, or any thing like half that amount. His Lordship said, he had observed with satisfaction that a clause stood in the Bill, by which clergymen, whose income did not amount to 100*l.* a year, were exempted from payment of the duty. In like manner he wished to see the half-pay officers of the army exempted, than whom, he well knew from long acquaintance with their merit, a set of men better entitled to consideration did not exist. His Lordship described the situation of half-pay officers with great force and feeling—full of honourable scars, disabled by wounds, and worn down in the service of their country, they were compelled to retire to some obscure village or hamlet, there to eke out their scanty pittance of pay, and poorly provide for their subsistence. How cruel

cruel was it then to hurt the honest pride and wound the fine feelings of such worthy beings, and the more especially when it might be so easily avoided, as he would take upon him to assert, that not a shilling more would be produced by the tax, if an exemption in the favour of those whose cause he was pleading were not admitted. The extending the tax to half-pay officers would sink them in their own consideration and degrade them in that of the Public; they would feel themselves forced out of their rank in the community, and deprived of the means of appearing in that line of respectability, to which their honourable services and established merit gave them so ample a claim. Having urged their just pretensions to protection and even partial favour in terms of great energy and impressive eloquence, his Lordship begged to be informed, what was the earliest day on which he could regularly move a clause of exemption in behalf of the half-pay officers of the army.

The Earl of Moira said, he concurred with the Noble Lord in every part of his argument. The Noble Lord had treated the matter of it in so powerful a manner that he had left but little indeed for him to add. That description of men, the half-pay officers, certainly deserved every possible consideration and favour; many of them had been reduced to half-pay much against their own inclinations; having been so reduced, let it be recollected that they could not accept of any office or employ, without forfeiting their half-pay. Scanty therefore as their pittance was, they were by law disabled from increasing it, unless they chose to forfeit their rank, forget that they had bled in the service of their country, and mingle again with the common mass of mankind, forgetful of what they held the dearest pride of their hearts, the military merit that had distinguished them among their brother officers. How must such men, the Earl said, find their feelings hurt, when they saw the curate of the village, or the subalterns on full pay, of the same rank with themselves, powdered out, and by the comparison could not but be conscious that they stood in the eyes of all around them degraded, by being incapacitated from making the same figure and appearance as gentlemen in society, which they had from their first entrance into the army been accustomed to make? Would not they be forced to consider themselves as men marked out for disgrace, and fit to be stigmatised on account of their poverty? Let their case be put on the strongest possible grounds, let an exemption from the tax in their favour be even deemed an act of charity, it would be a charity that would carry a peculiar grace with it, and their Lordships would have the satisfaction to find that the beneficence of the Legislature had done honour to the nation. In every way that the

matter could be viewed, his Lordship contended that the half-pay officers ought to be exempted from the tax, and the more particularly as the tax produce would not be increased a single guinea, if half-pay officers were not exempted, although their feelings would be severely mortified and deeply wounded. He concluded, with declaring, that if he should have the good fortune to be present in the House when the Noble Lord brought in his exemption clause in favour of half-pay officers, he certainly would give it every support in his power.

The Lord Chancellor informed Lord Mulgrave that he would have an opportunity to introduce the clause in question, by way of rider to the Bill on the third reading, and it lay with his Lordship to move that the third reading be on such a day, as he thought he should be ready with his clause.

Lord Mulgrave thanked the Noble and Learned Lord for his information, and said, there were two reasons, which would certainly induce him to wish for the earliest day possible; the one was, the having the important advantage of the support of the Noble Earl, who had in so powerful a manner pleaded the cause of the half-pay officers that day; the other arose from the consideration, that if the clause were adopted, and any danger should happen in respect to the present Bill in another place, in consequence of their Lordships having made an alteration in it, an opportunity would be afforded for the immediately bringing in and passing another Bill, so that no injury might be sustained in the expected produce of the tax itself, which he highly approved.

His Lordship named the next day, for bringing in his clause; the Bill was therefore ordered to be read the next day.

HOUSE OF COMMONS.

THURSDAY, *April 23.*

A message from the Lords informed the House that their Lordships had agreed to several Bills, and passed others, to which they desired the concurrence of that House.

INN-KEEPERS AND SOLDIERS.

The Secretary at War gave notice, that the next day he should move for leave to bring in a Bill to relieve inn-keepers of part of the burdens under which they at present laboured, and also that he should have a proposition to submit on the estimates which were then before the House.

General Macleod said, he understood from public rumour, that on account of the present dearth of provisions, his Majesty had given directions for an allowance of nine-pence a week to all non-commissioned officers and privates. The General wished to know of the Secretary at War if that rumour was right? If it was, he should have something to observe to the House upon the subject.

The Secretary at War said, he did not precisely know to what order or direction the Hon. Member alluded. It had been proposed that bread should be given to the soldiers in kind, instead of money to purchase it, by way of avoiding the inconvenience arising from the dearth of it; and that was the only thing he knew of, that seemed to apply to the subject to which the Hon. Member alluded.

General Macleod said, that the allowance he alluded to, was supposed to have been ordered within this week.

Sir John Frederick moved, that the Order of the Day, for the second reading of the Dead Body Bill, be postponed until the other Orders of the Day were gone through.—Ordered.

DUTCH PROPERTY BILL.

This Bill went into a further Committee.

Mr. Ryder then opened the general nature of the Bill. It was an amendment of the Bill of this session for regulating the importation, &c. of Dutch property.

General Macleod did not oppose the Bill, but he wished the House to observe that ministers had been most culpably negligent in not bringing it forward sooner; if they had, great advantages would have arisen to this country out of it; for by the general derangement of the public affairs of almost all the powers of Europe, England might have become the depot of the chief of the moveable property of Holland.

Mr. Ryder said, that if the Hon. Gentleman had happened to attend his duty in Parliament, early in the present session, he would have known that Administration had done the very thing which he now accused them of neglecting. They had taken the earliest possible opportunity for regulating the mode of legally importing property from Holland. They had gone further, they had advised the issuing an order of Council for that purpose, before an Act could be passed, a thing in itself illegal, but which was justified by necessity, and therefore the parties concerned in advising it were indemnified.

General Macleod felt no difficulty in believing the account of the illegality of the conduct of his Majesty's present advisers; but he said, he would still assert what he wished the Public, through

through the medium of that House, to know, that in consequence of the negligence of ministers, a great deal of Dutch property, which ought to have come to England, went to Ham-
burgh and Dantzic. He desired ministers to deny this as-
sertion.

The Chancellor of the Exchequer moved the Order of the Day, which was to go into a Committee of the whole House on the Bill for augmenting the Royal corps of Artillery, and for pro-
viding for the navy seafaring men out of the militia.

The House being in a Committee, he proposed three clauses. The first had for its object the regulating the power of officers, during the absence of the commander: The second for regulating the law, with regard to those who were officers in the militia, and officers also in the fencibles: The third, restoring to his Majesty the power of dismissing officers in certain cases out of the militia, a power which the Crown had ever since the establishment of that body, until the passing of the Bill in the year 1786. That power of the Crown was then omitted, whether inadvertently, or by design, he was unable to learn; but he saw no reason for the omission; on the contrary, he thought it a necessary power.

Upon each of these clauses there was some conversation. On the last, *General Macleod* said it was a dangerous power to be trusted in the hands of the Crown. It was well known that one of the most splendid orations that was ever made by the late Earl of Chatham, was against the use of the prerogative of the Crown, in dismissing an officer in the regulars. If it was a dangerous power over the regulars, what must it be over the militia?

Colonel Sloane, Mr. Bastard, Mr. Loveden, and other officers in the militia, approved of the clause; *Mr. Courtenay* was against it; after a short conversation, the Committee divided,

<i>For the Clause</i>	-	-	-	45
<i>Against it</i>	-	-	-	8

The Bill then, with all the clauses, passed the Committee.

The Bill for preventing delay in the election of Members of Parliament for Scotland passed the Committee.

The Report was received immediately, ordered to be taken into further consideration on Tuesday next, and to be printed.

DEAD BODY BILL.

The question was then put, that the Dead Body Bill be now read a second time.

Sir John Frederick observed that the House was too thin to proceed on this business. It had been delayed from time to

time ; but he was determined to bring it forward as early as possible ; and for that purpose he moved that this Bill be read a second time on Tuesday next.

Mr. Taylor moved that the House be counted.

There being only 21 Members present, an adjournment necessarily took place immediately.

HOUSE OF LORDS.

FRIDAY, *April 24.*

RECAL OF THE VICEROY OF IRELAND.

After several Bills had been received and read, and the business of the day dispatched, as far as regarded Bills, &c.

Earl Fitzavilliam said, it was impossible for him to appear in that House, without taking the earliest opportunity of endeavouring to procure an investigation into the cause and circumstances of his sudden recal, in the midst of a most arduous and critical session of Parliament, from a neighbouring kingdom, where he had the honour to fill the high office of Lord Lieutenant, and representative of his Majesty. So extraordinary a circumstance as his sudden recal, when matters of the highest importance were depending in the Irish Parliament, so singular an occurrence had not escaped the notice of the Public of both kingdoms ; and although it was not known whether he had done any thing inconsistent with his trust, or against the interests of the kingdom, or whether his Majesty's ministers, who had recalled him, were to blame—it was obvious to every man that blame was imputable somewhere. To say nothing, therefore, how much a matter of moment and importance it was to institute an investigation in justice to the feelings and honour of an individual, insignificant like himself, it would surely be admitted, that it was of the utmost moment and importance to set the public mind at rest on a matter that had much engaged their attention, and created a great deal of ill-humour in both countries. Ministers had in both Houses of Parliament declared, that no imputation of blame, on account of his sudden recal, would on inquiry be found to attach to them. He rose as proudly to assert on his part, that he defied his Majesty's ministers to prove at imputation of blame in the smallest degree belonged to him. Ministers by their declarations had given their Lordships, the House of Commons, and the Public, to imagine that he had been to blame. He peremptorily denied it. Ministers had thrown down the gauntlet—he accepted it.

The Public had formed an opinion one way or the other; it remained with ministers to bring the question at issue to the test, by instituting an investigation, and thereby enabling the Public to decide on just grounds. He did not by any means wish to interfere with public business, and therefore he could only express his earnest wish that the most early open day might be appointed for the purpose of inquiry into a matter, that had been the subject of so much conversation, and excited so much uneasiness; but as ministers alone could know when it would be least inconvenient for them to attend, without injury to their other important duties, it rested with them to name the day.

Lord Grenville said, he had scarcely ever felt more real concern, more anxiety, or more uneasiness, than at finding himself under the necessity of rising to say any thing on a subject, which he had hoped would not have been brought under public discussion. With regard to the declaration of ministers in both Houses of Parliament alluded to by the Noble Earl, those declarations had been necessarily and indeed unavoidably called forth in refutation of charges urged against them by others, and which it was incumbent on them either to repel, or, by tacitly submitting to them, to appear to admit their validity. In saying this he begged to be understood, as referring merely to what passed in that House, to which most of their Lordships were witnesses. He knew nothing, nor did he undertake to say what had passed elsewhere. He did not conceive, that the mere fact of ministers having advised his Majesty to recal a Viceroy of Ireland, warranted the inference that it implied blame on either party, afforded cause of public complaint, or was of itself a fit ground for Parliamentary discussion and proceeding. Having therefore no charge to bring forward against the Noble Earl, of course he had no day to propose for an investigation of which he saw no necessity. If therefore, unfortunately, the Noble Earl should persist in calling for an inquiry, the naming of the day for it, and the proposing the mode of proceeding, must rest with him.

Earl Fitzwilliam expressed his surprise at the Noble Lord's conceiving that no investigation was necessary into the cause of the sudden recal of a Lord Lieutenant of Ireland, in the midst of a most important and critical session of Parliament in that kingdom—when matters of the utmost moment to its most essential interests, brought forward under his countenance, were in agitation. It was, he said, notorious, that for a whole week together he had been held out to the Public as having been guilty of the grossest misconduct in his situation of Viceroy, and that it had been even said, that he was
pursuing

pursuing measures in Ireland, not only injurious to the interests of that kingdom, but subversive of all governments whatever. These charges he could not take upon him to assert had been made by ministers themselves, but they had at least been connived at and countenanced, by having been acquiesced in and suffered to pass uncontradicted. The Noble Secretary of State had said, that no charge had been brought against him, and that ministers had made their declarations in Parliament merely in their own necessary defence. Did the Noble Secretary of State really think, that the sudden recal of a Lord Lieutenant under such circumstances, circumstances so deeply involving the tranquillity and order of the people of Ireland, and perhaps the safety of that kingdom, amounted to no charge? Were ministers to be informed that they drew the indictment and preferred it against him before the grand jury of the Public, when they sent him his recal? They must have had strong grounds for so strong a measure; they could not have recalled him from motives of personal dislike, because they would equally have operated against his appointment in the first instance; nor could he suppose that their conduct originated in trivial causes. If they could induce themselves to believe, or imagined they should be able to make the Public believe, that it was a matter of slight importance, he flattered himself they would find themselves mistaken. Having been arraigned on their indictment, he was anxious to come to trial. He felt his own honour implicated in the event at issue between them, and he therefore implored his Majesty's ministers to do him that justice which he had a right to expect, and by naming a day as early as possible for investigation, afford the means of doing that which was certainly of no small importance, set the public mind at rest upon a point respecting which the public mind had undoubtedly been a good deal agitated. He hoped therefore, notwithstanding what had fallen from the Noble Secretary of State, he would condescend to name as early a day for the investigation, as the nature of public business would admit.

The Earl of Moira said, he entirely agreed with the Noble Secretary of State, that the change or recal of a Viceroy of Ireland did not necessarily implicate either the person removed, or those who advised the change, in any blame; neither was it of itself either a fit or a necessary ground for a Parliamentary proceeding; but in the case of the Noble Earl, who had that day called upon ministers to institute an inquiry in justice to his own honour, and in order to satisfy the Public, it could by no means be considered as a simple recal of a Viceroy.
It

It was connected with charges so extensive, and involved considerations of such high importance, that it could not be disposed of so easily as the ordinary change of a Chief Governor of Ireland might be under other circumstances. It would not be proper for him to enter at large into a discussion of the subject, conscious as he was that there was no question before the House, nor did he mean to do it in the absence of so many Noble Lords, who, had they received notice that so important a discussion was likely to take place, would certainly have attended their duty; but he must be allowed to say that the recal of the Noble Earl had been sent in so extraordinary a moment, in the midst of an arduous and difficult session of Parliament in Ireland, when measures of the most critical nature, which had met with popular applause throughout the kingdom, were in progress, that it must have occurred to the idea of every man, that either the Viceroy recalled, had been guilty of some gross misconduct in his high office, or that the ministers who advised his recal, were themselves to blame. He did not pretend to point the blame to any particular quarter. If it ought to rest upon the Noble Earl, and that should so appear upon inquiry, let it attach to him, and let due punishment follow: On the other hand, if it should turn out that it belonged to others, with them it ought to rest. But at any rate an investigation was necessary to be instituted; the situation of Ireland in consequence of the recal was critical and dangerous, which made it indispensably requisite, and, what was of perhaps nearly equal importance, the public mind had been a good deal occupied and considerably agitated on the occasion; every consideration therefore called for inquiry, and if his Majesty's ministers should still persist in refusing either out of respect to the Noble Earl's honour, or what was due to the feelings of public justice, he thought the Noble Earl ought, from motives of respect to both, to name a day himself, and make the motion proper for that purpose.

The Duke of Norfolk owned himself not a little surprised at the manner in which this business had been treated by his Majesty's ministers. It was not for their Lordships at that moment to decide, whether the blame of the sudden recal of the late Lord Lieutenant of Ireland, under circumstances so extraordinary, belonged to the Noble Earl or to ministers; but it must suggest itself to the mind of every one of their Lordships that blame was due somewhere. He had imagined that the moment the matter was mentioned in that House, his Majesty's ministers would have come fairly forward, and shewn themselves anxious for investigation by joining issue with the Noble

Noble Earl, and leaving it to the impartial judgment of their Lordships to pronounce who had been to blame. If he rightly understood the Noble Secretary of State, he had said, that he had no charge to make against the Noble Earl, and desired no investigation; but if, *unfortunately*, the Noble Earl should persist in calling for an inquiry, it would rest with him to propose the day. It appeared therefore that there were two parties, rather delicately situated. Both were deeply interested in the issue of the investigation, but neither chose to institute it. One was desirous of inquiry, and called upon the other to bring it forward; the other said, "No, we make no charge, nor desire any investigation; if you insist on it, name your day." In his humble opinion, the Duke said, their Lordships were bound to recollect, that there was a third party of great importance, who had a right to be informed of the causes and grounds of one of the most extraordinary political events that had occurred in modern times: That third party was the Public, in whose behalf it was the indispensable duty of their Lordships to institute an inquiry. Under that impression, as an independent Peer of Parliament, he would rescue the two principal parties from their dilemma, by taking the matter out of their hands, and would at once save their delicacy by moving that the Lords be summoned for the first open day.

It being hinted that Thursday was the first open day,

His Grace named Thursday next, and desired their Lordships to consider what he had said as a notice, that he would on that day move for a Committee of Inquiry, on the subject of the late sudden recal of the Lord Lieutenant of Ireland.

HAIR-POWDER.

Lord Mulgrave, as soon as the order was made for the third reading of the Bill imposing a tax on Hair-Powder, for Tuesday next, said, that though the Bill was deferred, he hoped the delay would not be urged against the clause he intended to propose in favour of half-pay officers, as an argument on the ground of additional time that it would necessarily take before a new Bill should receive the royal assent, supposing that the other House of Parliament (if the clause met with the reception of the House) should throw out the Bill, and bring in a new one.

HOUSE OF COMMONS.

FRIDAY, April 24.

PRICE OF PROVISIONS.

Mr. Erskine presented a petition from the Mayor and Inhabitants of Portsmouth, claiming the attention of the House to the present high price of provisions. The petition stated, that the present high price of provisions was attended with great distress to the lower classes, and had a tendency to excite public discontent; and prayed that the House might adopt such measures as to their wisdom should seem meet, in order to remedy the evil, and prevent the tumult which it might otherwise occasion.—The petition was ordered to lie on the table.

MR. GRENVILLE'S ELECTION COMMITTEE BILL.

The Order of the Day was read for the House to go into a Committee upon the Bill to regulate the law with respect to ballots in cases of controverted elections.

Mr. Fox objected to the clause diminishing the number of Members required to be present, before the House can proceed to ballot. Of the reduction of the number of Members from 100 to 60 he decidedly disapproved. He rather wished, if any alteration took place, that the number should be increased from 100 to 200. It had been a complaint, and a very just one, that the trial of elections had hitherto been in too few hands. The proposed reduction, however, would put the trial of elections into fewer hands, and it might then be fairly apprehended that the greater number of Members who would try controverted elections, would be in the interest of the Executive Government. There was also another point to which he wished more particularly to call the attention of the Committee, viz. that a number of Election Committees should be appointed on one day; and this might easily be effected if the House would compel the attendance of Members.

Mr. Thomas Grenville confessed, that the reduction which he had originally proposed, of the number of Members necessary to form a ballot, was too small. After some discussion with several Members, he had been convinced that sixty was too low a number, and he therefore meant to propose that the number should be 75. Seventy-five was a larger proportion to 11 (the number of Members which he meant to propose should compose the Committee), than 100 to 15, the present amount of the Members composing Committees.

Mr. Fox said, that he did not object that the proportion of 75 was not great enough to the number of 11 Members proposed to be chosen, but that it was not great enough to 558 Members of the House, whose duty it was to attend on such occasions. Out of the whole number it surely was not unreasonable to compel the attendance of 100. He thought that there was a very great objection to the decision of cases of controverted elections falling into the hands of a few Members.

Mr. Francis said, that he should consider it as disgraceful to the House, if, when Members were found to neglect their duty, instead of seeking to provide a remedy for the inconvenience, they should be intent only, under the shape of a regulation, to introduce an apology for their own remissness.

Mr. Sylvester Douglas thought, that the numbers ought not to be reduced below 100—as 75 however approached nearer to 100 than 60, he should agree to it.

Mr. Perceval conceived, that compulsory remedies should not be resorted to in ordinary cases.

Mr. Hussey observed, that this was an ordinary case.

The Chancellor of the Exchequer wished to preserve the great principles of *Mr. Grenville's Act*; an Act of which every Member had experienced the good effects. At the same time he wished to consult the convenience of Members, if their convenience did not militate against the advantages of that Act. He concurred in opinion with *Mr. Fox*, that it would be proper to appoint as many Election Committees in one day as possible; and in order to procure so many Committees, he would consent to the reduction of the original number below 100. The mode of producing an attendance ought, in his opinion, to be compulsory, particularly after a general election.

The Speaker said, that the Bill had two objects in view; the one was, to appoint a proper tribunal to try elections; the other, to prevent that delay which had hitherto so disgraced the House. He was persuaded, that a compulsory mode of producing an attendance, would be found to be necessary. He preferred the original number of 100 to 75.

Mr. Fox, alluding to the argument of convenience, said, that if by convenience were meant that Gentlemen should not be detained five hours, when the business might be dispatched in one, he should certainly vote for any measure that tended to produce that effect; but if it meant that 75 Members would be a better number than 300, because attendance upon elections was a part of their duty which Members did not like to discharge, he certainly should not support such convenience.

Sir William Pulteney and the *Master of the Rolls* made a few observations; after which it was understood that the proposed reduction to 75 was to be abandoned, and the original number of 100 to remain in the present Bill.

The Committee then proceeded to discuss the proposition for reducing the number, from which the Election Committees were to be struck off, from 49 to 27, and for reducing the number of Members composing the Committee from 15 to 11.

A division took place on this point, when the numbers were,

For the original Number	53
Against it	37
Majority	16

The Chairman reported progress, and the Committee was appointed to sit again on Thursday.

EARL FITZWILLIAM.

Lord Milton said, that he wished for a moment to call the attention of the House to a circumstance which had lately taken place in a neighbouring kingdom—the dismissal of *Earl Fitzwilliam* from the high situation which he held in the government of Ireland. He understood that on a former occasion a *Right Hon. Gentleman* (*Mr. Pitt*) had said, whatever might be the causes of the removal of the Noble Lord, no blame whatever attached to his Majesty's ministers in this country—an assertion which seemed to imply, that the blame must necessarily attach elsewhere. It was proper that there should be some inquiry made into the grounds of this insinuation, in order to ascertain to what quarter the blame really belonged. He wished therefore to know, whether ministers were prepared to appoint a day for the investigation of the subject.

The Chancellor of the Exchequer said, that all who had heard him on the former occasion would be sensible that he had then said nothing which called upon him to appoint any day for the investigation of the subject, or made him feel it any part of his duty to enter at all into the discussion.

Mr. Jekyll said, that he could not help feeling some degree of indignation, that ministers should come forward to assert that no blame attached to them, and afterwards decline to appoint a day of inquiry, in order to afford an opportunity of exculpation to those who were the objects of their insinuated censure. The whole of the transaction alluded to by the Noble Lord was before the Public, and perhaps ministers

acted wisely in shrinking from inquiry, as they must be well aware that their share in the business was of such a nature as could by no means bear investigation. But though they might be disposed to flinch from the question, it became that House to adopt a different conduct. When such serious consequences had been produced; when a whole country had been thrown into a state of extreme agitation, and an opening afforded for the worst consequences of political dissension; when the union of the British empire had been endangered, at a period too, when its most important interests were at stake, it was proper that there should be some inquiry into the causes of these alarming evils, in order to ascertain who were the men from whose misconduct they originated. With this view he should propose some day to be appointed for the consideration of this momentous subject. And he trusted that the House would feel it to be their duty to enter into the discussion, from whatever quarter the proposition might proceed. He concluded with giving notice that on the first open day he should move for a day to be appointed for the House to institute an inquiry into the grounds of the dismissal of Earl Fitzwilliam from the situation of Lord Lieutenant of Ireland. Friday next was the day appointed for the motion.

SOLDIERS AND INNKEEPERS.

Mr. Secretary at War presented to the House (according to order) a Bill for increasing the rates of subsistence to be paid to innkeepers and others, on quartering soldiers during the present war; and the same was received, and read the first time, and ordered to be read a second time on the Monday following.

VETERINARY COLLEGE.

Mr. Sumner moved, that the petition of the Veterinary College be referred to the Committee of Supply.

Mr. Poyys moved the previous question, to give the House a longer consideration upon it.

Mr. Sumner then entered into a general statement of the institution, and the advantages resulting from it. He recapitulated all the practical experiments in the army upon gun-shot wounds, &c. in horses, on the authority of the Earl of Pembroke and other officers, whereby he contended that he was warranted in considering it as of material saving to the nation. This was the only country, he observed, without such a useful establishment by public authority. France, Spain, Austria, Prussia, Sardinia, all have it; here only it has been made by the subscription of a few individuals, which is consequently inadequate to carry it into proper effect; and yet even small as
their

their resources have been, they have educated a number of pupils, who have since dispersed themselves and settled in various country towns, to the extension of science and the benefit of the community.

Mr. Powys explained his intention for moving the previous question, merely to gain some time for the consideration of the petition, in support of which the documents to him appeared deficient.

The Chancellor of the Exchequer supported *Mr. Sumner*, and observed, that the experiment was at first but for one year, the advantages of which would be demonstrated by the trial. *Mr. Sumner's* motion was carried.

The House went into a Committee to take into consideration the petition of — *Meredith*, respecting a deposit of money paid into the Exchequer, on the purchase of lottery tickets, by a person who acted as his agent, and which had been forfeited from his ignorance of the forms of the transaction.

After a few words from *Mr. Hussey* and the *Chancellor of the Exchequer*, a resolution was come to, which was read a first and second time, when the Chairman reported progress, and asked leave to sit again.

Sir John Frederick moved that the Order of the Day, for the second reading of the Dead Body Bill, be postponed till Wednesday next.

Mr. Wigley moved the Order of the Day, for the House to go into a Committee of the whole House on the Bill for the relief of the widows and families of privates and non-commissioned officers serving in the militia.

Mr. Powys stated two clauses in favour of the widows and families of substitutes serving in the militia, which after some observations from *Mr. Wigley*, were brought up and read a first and second time in the Committee. The report ordered to be received on Monday next.

The Order of the Day for the second reading of the Datchet Canal Bill being moved,

Mr. Mainwaring shortly stated his objections to the Bill, and likewise the thinness of the House; he therefore moved that the second reading be put off till that day three months. Upon which a division took place; for the second reading,

Ayes	-	-	33
Noes	-	-	22

Majority	11
----------	----

A second division took place on a motion for calling in counsel, which was negatived. The Bill was then proceeded in.—Adjourned till Monday.

HOUSE

HOUSE OF LORDS.

MONDAY, April 27.

Lord Grenville delivered a message from his Majesty, which was read first by the Lord Chancellor, and afterwards by the Clerk at the table.

He then moved, that the message from the King be taken into consideration on Friday next, and that the Lords be summoned.—Ordered.

The Bills on the table were read, and several private Bills received from the Commons.

Adjourned.

HOUSE OF COMMONS.

MONDAY, April 27.

Mr. Mainwaring presented a petition from a large number of British servants, complaining of the encouragement given to foreigners; but no Member appearing to second it, it could not be laid upon the table.

Mr. Powys gave notice of his intention to move for leave to bring in a Bill for more effectually preventing deficient weights and false balances.

ESTABLISHMENT OF THE PRINCE OF WALES, AND PROVISION FOR HIS DEBTS.

The Chancellor of the Exchequer brought down the following Message from his Majesty, which was read by the Speaker:

“GEORGE REX.

“His Majesty relies on the liberality and affection of his faithful Commons, and on the cordial interest which they have manifested in the happy event of the nuptials of the Prince and Princess of Wales, that they will be ready to concur in such provision as they may judge necessary, to enable his Majesty to settle an establishment for the Prince and Princess, suited to their rank and dignity.

“On an occasion, in all other respects so satisfactory, his Majesty feels the deepest regret in being under the necessity of communicating to the House, that the benefit of any settlement to be now made, cannot be effectually secured to the Prince of Wales, without providing the means of freeing him from incumbrances to a large amount, to which he is now subject.

“Anxious as his Majesty must necessarily be, particularly under the present circumstances, to relieve the Prince of Wales from these difficulties, his Majesty entertains no idea of proposing to his Parliament to make any provision

provision for this object, otherwise than by the application of a part of the income which may be settled on the Prince; but he earnestly recommends it to the House, to consider of the propriety of thus providing for the gradual discharge of these incumbrances, by appropriating and securing for a given term, the revenues arising from the Duchy of Cornwall, together with a proportion of the Prince's other annual income; and his Majesty will be ready and desirous to concur in any provisions which the wisdom of Parliament may suggest, for the purpose of establishing a regular and punctual order of payment, in the Prince's future expenditure, and of guarding against the possibility of the Prince being again involved in so painful and embarrassing a situation.

"G. R."

The Chancellor of the Exchequer then moved, that this Message be referred to a Committee of Supply.

Colonel Stanley desired, that his Majesty's Message of the 21st May 1787, be read,

Mr. Grey observed, that it was very important for the House to hear that Message and the Address of the House in answer to it.

They were both therefore read.

The Message was as follows:

"GEORGE REX.

"It is with great concern his Majesty acquaints the House of Commons, that from the accounts which have been laid before his Majesty by the Prince of Wales, it appears that the Prince has incurred a debt to a large amount, which, if left to be discharged out of his annual income, would render it impossible for him to support an establishment suited to his rank and station.

"Painful as it is at all times to his Majesty to propose an addition to the heavy expences necessarily borne by his people, his Majesty is induced, from his paternal affection to the Prince of Wales, to recur to the liberality and attachment of his faithful Commons for their assistance, on an occasion so interesting to his Majesty's feelings, and to the ease and honour of so distinguished a branch of his Royal Family.

"His Majesty could not, however, expect or desire the assistance of this House, but on a well-grounded expectation that the Prince will avoid contracting any debts in future.

"With a view to this object, and from an anxious desire to remove any possible doubt of the sufficiency of the Prince's income to support amply the dignity of his situation; his Majesty has directed a sum of 10,000*l.* per annum to be paid out of his Civil List, in addition to the allowance which his Majesty has hitherto given him; and his Majesty has the satisfaction to inform the House, that the Prince of Wales has given his Majesty the fullest assurance of his determination to confine his future expences within his income, and has also settled a plan for arranging those expences in the several depart-

departments, and for fixing an order for payment under such regulations as his Majesty trusts will effectually secure the due execution of the Prince's intentions.

" His Majesty will direct an estimate to be laid before the House, of the sum wanting to complete, in a proper manner, the work which has been undertaken at Carleton-house, as soon as the same can be prepared with sufficient accuracy, and recommends it to his faithful Commons to consider of making some provision for that purpose.

" G. R."

The Address was dated the 24th of May 1787, and the House of Commons complied with the wishes, and reiterated the sentiments expressed by his Majesty in the Message.

Colonel Stanley said it was with regret that he found himself under the necessity of saying any thing upon the subject before the House. That House had already very liberally come forward to pay the debts of his Royal Highness. They were now called upon to discharge his debts a second time. This being a business of the first importance, the House ought to be fully attended, and for that purpose he thought a Call of the House should take place. He wished that the establishment of his Royal Highness should be as splendid as possible. But he would leave it to his own feelings, whether, in the distressed state of the country, without inquiry and due deliberation, he could again expect that House to discharge these debts. He did not wish to say any thing bordering on disrespect to his Royal Highness, or any one branch of the Royal Family; but surely the House ought to proceed deliberately on a matter of such magnitude. He therefore wished for a full attendance on the discussion of the subject. The situation of the country demanded it. A number of the Members of the House had gone into the country under an idea that no more burdens, for the present session, were to be laid on their constituents. In all points of view, therefore, a Call of the House appeared to him to be necessary.

The Speaker observed, that, in point of order and regularity of proceeding, it would be necessary to dispose of the question before the House, previous to any thing being said on the subject of a Call of the House. When a motion should be made with respect to the day of taking his Majesty's Message into consideration, it would then be regular to bring forward the subject of the Call, to which the Hon. Member had alluded; but the rules of the House required that his Majesty's Message should be referred to a Committee of the whole House.

The Chancellor of the Exchequer said, it was his intention to move, that the House should go into a Committee of the whole House that day se'nnight, to consider of this Message from

from his Majesty. If the House should be of opinion, that the measure recommended ought to be adopted, he should hope, he confessed, that the Hon. Gentleman would not press the motion for a Call of the House. He did not wish in any degree to disguise the magnitude and importance of the subject before them; nor did he mean to express less regret than was felt in common by every Member of that House, as to the occasion which called for their deliberation. At the same time he wished to say, that it was evident from the Message, that his Majesty's intimation went not to the length of requiring a specific sum to be advanced for the present, in order to discharge the principal of the debts of his Royal Highness. It was only to set apart a certain portion of that income which might be granted by the liberality of Parliament, to the gradual discharge of the debts of his Royal Highness. Whatever, therefore, Parliament out of that liberality might be disposed to grant, was to be applied to free his Royal Highness from the demands of his creditors, a circumstance the most essential to the real splendour and dignity of his Royal Highness. If Parliament were to grant an income to his Royal Highness, for the purpose of supporting that dignity and splendour, the first step certainly ought to be to enable him to remove from his affairs all clogs and embarrassments. If it was the desire of the House that this should be done, they would reflect that it could not be done effectually, either to the satisfaction of the creditors of his Royal Highness, to his own ease and comfort, or with any view to certainty, except by enabling him to allot out of his income a certain part, as much as might appear necessary for that purpose. If it should be found that the whole sum which should be proposed for the establishment of his Royal Highness, was no more than the House would have been disposed to grant him, if his debts had never existed, in order to support his household, and to maintain his dignity, he trusted that the feelings of Hon. Gentlemen would be fully satisfied. When he looked at the grants made to the Prince of Wales, the grandfather of his present Royal Highness, at a time when the scale of expence of living, to a person of any rank, was not in any respect nearly so high as it was at present, he owned, at the same time that he lamented the necessity of the occasion, that the sum to be proposed for his Royal Highness now must be comparatively small. It would be but little more than had been granted to his grandfather, from the affection and the liberality, and he might add, the wisdom and the prudence of Parliament. The House was under the unfortunate necessity of either determining to leave his Royal Highness without relief, or adopting the

mode now proposed, or some such mode of relieving him; and under all the circumstances, he trusted they would not be much inclined to narrow the amount. He thought it necessary to state thus much of the outline; a more particular discussion he thought it would not be proper for him to enter into in the present stage of the proceeding. This he would however add, that on the best consideration he had been able to give to the subject, and to every thing connected with it, he was ready to say, that it was not only the interest of the Royal Family, but also the public duty of that House, which they all felt satisfaction in discharging, to be liberal in allowances of this description; because the people were materially interested in the comfort, and even in the splendour and dignity of the Royal Family in all its branches. When these points therefore came to be considered, there would probably appear no necessity for that delay which a Call of the House must necessarily occasion. It could not be said to be a thing brought forward on a sudden, for an establishment for his Royal Highness had long been a matter of general expectation. Besides, there were other questions of great public importance relative to the political state of the country, remaining to be discussed. On the great question of peace and war, notice had been given of a discussion; so that there was no doubt that a full attendance would take place without a Call of the House, to enforce which would be attended with some inconvenience to individuals, and attended also with some delay of business. He should therefore hope that the Hon. Gentleman would not persist in his intention, and press for the Call. He concluded with moving, "That this Message be taken into consideration this day se'n-night." The question being put,

Mr. Grey said, no Member of that House, who felt it his duty to give any opposition to any part of the establishment of his Royal Highness, could help feeling the most unpleasant sensations; at the same time, however that might be, he was persuaded that no Member who felt that to be his duty, would pass it by, because the task was disagreeable. In his opinion, a more important subject than this could hardly have come under the consideration of that House; particularly under the circumstances of this country at this moment. This was the second application to Parliament to pay the debts of his Royal Highness, and that too after a solemn promise had been made that no future debt should be incurred. He did not mean to say that the Right Hon. Gentleman, who brought the subject forward, had any improper intention; but the manner in which he had brought it forward was, he feared, calculated to
create

create a misunderstanding with the Public. The Right Hon. Gentleman had treated this as an additional income to his Royal Highness. Let it however be done in what shape, or under what colour, it might, it was in substance neither more nor less than a provision from Parliament to pay the debts of his Royal Highness the Prince of Wales; and he thought there could not be a more improper mode of doing it than that of adopting a plan by which the Public were likely to misunderstand the thing to be done. It would make no difference to the Public ultimately, if it were done in another manner, and it might as well be so done at once, *viz.* to pay the debts of his Royal Highness in a sum of money, and to create a tax avowedly and specifically for that purpose; it must come to that at last, and what was the use of disguising it? He wished the thing to be plainly, fairly, and distinctly done, that the Public might clearly see what burdens they were to bear for his Royal Highness. Under these impressions he could not help thinking, that the mode proposed was objectionable, and that, after all that had been said, Parliament would be called upon, and that at no very distant period, to provide for an immense debt, on account of his Royal Highness. The Right Hon. Gentleman who brought this business forward had said, that considering all things, the sum proposed was not greater than the House would be disposed to grant to his Royal Highness, to support his splendour and dignity, even if he had no debt. When the House came to consider the diminution of the national income, the increase of our burdens, and the still greater increase of them that we are to expect; considering likewise how very heavily the Public were taxed already, and how much more heavily they must still be taxed, he could not help saying that the Right Hon. Gentleman's was not the best way of considering the subject. At a time when the cries of the starving poor were assailing us on all sides, he thought that the House would not be doing its duty, by granting establishments to Princes, with a profusion unparalleled. He had heard much of the dignity of his Royal Highness. He was of opinion that the best dignity of the Prince of Wales would be maintained by his shewing a feeling heart for the poor, and that he was unwilling to add to their distresses. That would be dignity superior to any thing he could gain by splendour of appearance. He left Gentlemen to judge whether they had any pleasing prospect from what was at present proposed. He would say no more at that moment; he was afraid of proceeding. He did not mean nor wish to give offence to that August Personage. He hoped, however, the Call of the House would be enforced.

Mr. Curwen regretted, as much as any Member of that House, that there should be any objection to the measure; but he must perform his duty as a Member of Parliament. He must say he was not satisfied. He wished to see some provisions, on which the House could rely, that no further debt should be incurred on the part of his Royal Highness. Some measure should be adopted to put that out of his power, and that measure should be brought forward for the consideration of the House. As to the observation of the Right Hon. Gentleman, that Parliament were to grant no more to his Royal Highness than would have been given to him if he had no debt, he must observe, it was not the way to proceed under the present condition of affairs. He wished Gentlemen to turn their eyes to a neighbouring country, and recollect what brought on its great convulsions; it was not from the exercise of tyrannical power, for the late government there was admitted to have been a mild one; it arose out of a lamentable negligence about the finances; it was that sort of negligence which plunged France into its calamities: It was not the extravagance of the Monarch, for no man was more economical than Louis XVI. but the extravagance of the Princes.—That truth, he trusted, would be well remembered. He was decidedly in favour of a Call of the House.

The Chancellor of the Exchequer said, that the Hon. Gentleman who spoke last seemed to have forgotten part of the Message of his Majesty; by the last paragraph in it, he would see that the very provision against incurring further debt was expressly recommended; he therefore desired that that part of the Message might be read, which was done.

Mr. Powys said, that though he could not agree with the Hon. Gentleman (*Mr. Grey*), that the mode proposed by his Right Hon. Friend (*Mr. Pitt*) was the most exceptionable measure that could be adopted, yet he thought the House ought to mark their sense of the novelty and importance of the occasion, by adopting the motion for the Call of the House. He was averse to go much at large in the present stage of the business. He hoped the Right Hon. Gentleman would more fully explain the nature of the whole transaction, before he called upon that House to come to any decision. Notwithstanding his reluctance to make any declaration, he could not help joining in the feelings which his Majesty himself had expressed in the Message. He must say that he felt the deepest regret, that notwithstanding the paternal liberality of his Majesty, notwithstanding the loyal zeal which the House had manifested in making provision for the former debts, and the pledge which had then been given on the part of the Prince that no future application of that sort should be made,
fresh

fresh obligations should have been contracted to so large an amount. It became matter of interesting inquiry by what means the King, the Prince, the Parliament, and the Public, had all been so grossly deceived. It would be proper that the persons from whose neglect or misconduct this glaring abuse of confidence had proceeded, should be pointed out. The Right Hon. Gentleman had not stated what degree of inconvenience would be incurred from the delay that would be necessary for the purpose of a Call of the House. He had admitted that it was a subject which demanded the fullest and most mature deliberation. He could not then see any reason why the motion for the Call should not be adopted. There were some inquiries which, he remarked, ought to precede any measure that might be adopted by the House. Ought the Public to be called upon to pay the price of indiscretions? Ought they to be rendered liable for expences, which perhaps ought never to have been incurred? Was there no part of the burden which could be removed from the shoulders of the Public, already so severely smarting with the necessary load of taxation, in order to be laid on the civil list? All these were questions, which, in his opinion, ought to receive a satisfactory answer before the House pledged themselves to any resolution on the subject.

Mr. Montague said, that he coincided in opinion with the Hon. Gentlemen who had already spoken, that the importance of the subject was such, as called for the fullest attendance that could be obtained: He should therefore approve of a Call of the House. He did not wish, on the present occasion, to anticipate any thing that might more properly belong to the discussion of the Message itself. The only reason stated by the Right Hon. Gentleman why a Call should not take place was, that other important business, which would be likely to secure a full attendance, was appointed to be discussed about the same time that the Message would come under consideration: But if other important business was to be thrown into the scale along with this, which he should contend to be, of all others, the most important, this was only an additional reason why the Call ought to be adopted. The subject acquired a peculiar importance from the circumstances of the times. But he considered it altogether as of too grave and weighty a nature for him to say any thing further without the fullest deliberation. He should endeavour to come to the discussion without partiality, and without prejudice, prepared to act with an equal attention to the rights of the Prince, and the interests of the People. Such was, in his opinion, the line of procedure, which

which the solemnity of the occasion required, though he could not help confessing, that he felt himself to a certain degree prepossessed as to that part which the dignity of the House required them to take in the present instance.

The Chancellor of the Exchequer said, that so many Gentlemen seemed to be impressed with the propriety of the Call of the House, that he would readily concur in meeting their wishes. At the same time, it would be desirable that as early a day as possible should be appointed for that purpose. When he proposed that the discussion should take place this day se'n-night, it was not because he did not consider it to be an object entitled to the most ample and mature deliberation, but because he conceived that the discussion at that period might have had every advantage of previous consideration, and a full attendance, without having recourse to the expedient of a Call. In order to afford the necessary time for the Call, it would be proper that he should withdraw his original motion, and a delay of at least ten days or a fortnight be allowed to take place previous to the discussion.

Mr. Sumner thought, that before the House consented to make any provision for discharging the fresh obligations of his Royal Highness, it was incumbent upon them to know how their former grants had been applied; and before they consented to any alienation of the income of his Royal Highness for the purpose of gradually defraying the debts, it would be necessary for them to be well assured, what sum would be adequate for that purpose, and whether the application of thirty or forty thousand a year would be sufficient to extinguish them within any reasonable time. With that view it would be proper to ascertain the extent of the debts, with respect to which public report so much fluctuated, that he had at different times heard them stated to amount from six hundred thousand, to seventeen hundred thousand pounds. He objected to the phrase that had been used by an Hon. Gentleman, "that the measure was the most exceptionable mode that could be adopted," as if the provision to be made was granted for the personal gratification of the Prince of Wales, and not for the public purpose of supporting the splendour and dignity of the heir apparent to the British Crown. He thought also, that it would be proper to inquire for what period of the time during which an income had been granted to his Royal Highness, for the purpose of supporting an establishment suitable to his rank and dignity, that establishment had actually been kept up, in order to ascertain for what purposes the debts which they were now called upon to provide, had been contracted, and whether they

they were necessarily contracted by his Royal Highness, in order to maintain the credit of his exalted rank, and the munificent character of the British nation.

Mr. Buxton declared, that he had never, at any former period, in addressing that House, experienced sensations so painful as those were which he felt in the present moment. No man entertained more ardent loyalty to the King, or attachment to the constitution, than himself, and on that account his feelings were the more acute on the present occasion. He would however proceed no further—but he could not refrain from expressing the deepest regret, that after the Message which had been inserted in the Journals of 1787, and read to the House, such a Message as had been that day sent down should have made its appearance.

General Smith said, it appeared to him that the matter was taken up in a point of view which it by no means merited. He was astonished at one comparison that had been drawn between the situation of his Royal Highness and that of the Princes of another country. He could take upon him to say that there was nothing in point of extravagance in the present instance, which could, in the remotest degree, justify such a comparison. He was sorry indeed, after a pledge had been given that no future application should be made, that it should have been found necessary to come forward with a second demand upon the House, to make provision for the payment of the Prince's debts. He was struck with one thing that had fallen from the Right Hon. Gentleman—namely, that the provision to be granted to his Royal Highness would be little more than what had been granted to his grandfather, though the difference of times, and the advance upon all articles of living, was such as to render 150,000*l.* now not more than equal to the value of 100,000*l.* then. He was afraid if out of the income to be now granted to his Royal Highness, a provision was to be set apart for defraying his debts, that the consequence would be, that he and his Royal Consort would be continually involved in expence and embarrassment. It would be impossible for them indeed to support the dignity of their rank and station suitably, without at the same time running in debt. He disapproved of Gentlemen holding out the idea that the provision now to be granted would have the effect of pinching the poor and loading them with taxes. It was agreed on all hands, that a liberal provision ought to be made for his Royal Highness; and if he should stand single on that point, he should contend that the provision granted in the first instance ought to be such, as would be fully adequate to support him in the splendour of his situation.

Mr. Buxton thought that the Right Hon. Gentleman ought to explain to the House and to the country, how his Royal Highness should have been so committed by his former pledge, and so unfortunate as to have afforded occasion for the present application.

The Chancellor of the Exchequer said, that as the motion for the Call of the House would be attended with the delay of a fortnight, there would be sufficient time during the interval for the fullest deliberation, and for every explanation which the subject might require. This was not the day for that purpose. Some topics, however, had been suggested, on which he should make a few remarks. If the House thought it wise to make the provision which was required, he would appeal to their own feelings and judgment; how far it would be prudent to enter into a retrospect of that sort which had been suggested, and whether such a retrospect would not increase the difficulty and embarrassment, which must already be felt from the nature of the business. After what was past, it would indeed be proper for the House to take the provision for the extinction of the debts into their own hands, and he should suggest a proposition for that purpose. As to the extent of the debts, about which the public reports had been said to be so fluctuating, he could state that the total amount of the debts was somewhere between six and seven hundred thousand pounds. So many charges had lately fallen on the civil list, that there was no part of the burden which could possibly be defrayed from that quarter. As to what had been suggested by the Hon. General, that the provision for defraying the debts would be attended with a defalcation of income to his Royal Highness, he certainly admitted that such would be the fact; but in all the circumstances of the case, there was no alternative by which the inconvenience might be avoided, which in his conscience he could propose to the House. As the provision for defraying the debts must necessarily be continued till the object should be accomplished, it was only in the event of the demise of the Prince, that it would become a burden to the Public. After the general outline which had been presented to the House, he would recommend to them to pause upon the subject: Much as they might regret, and, to use the severest term, much even as they might disapprove what was past, they had all an interest in looking forward. They had an interest in preserving the hereditary succession, and in supporting the character of the hereditary House of Brunswick. They had an interest in maintaining the character and dignity of the Prince of Wales, as a branch of that illustrious House; and before they gave way to any sentiments of heat or resentment

ment on the occasion, they would do well to reflect, that in the issue of the discussion were involved the credit of the hereditary monarchy, and consequently the safety of the country.

Mr. Martin. "I have only one word to remark on what has fallen from the Right Hon. Gentleman who has just sat down. He has professed much zeal for the preservation of the hereditary monarchy. I feel that zeal as strongly as he does, but the way which appears to me the best calculated to preserve the hereditary monarchy, is to prevent it from being oppressive to the people."

Monday se'nnight was appointed as the day for taking the Message into consideration.

General M'Leod adverted to the question which he asked on a former day of the Secretary at War.—Whether or not there had been any additional allowance made by the order of his Majesty to non-commissioned officers and privates, of nine-pence a week, on account of the dearness of provisions? He understood since, that such directions had been given, and sent from the War Office to the different Colonels of regiments on duty. His object was to know the terms of that order, letter, or whatever it was, and therefore he moved "That a copy of it be laid on the table."

The Secretary at War said, that when the Hon. Gentleman had asked the question on a former day, the order was not made. He had not the smallest objection now to comply with the motion, which was then of course agreed to.

The Chancellor of the Exchequer moved the Order of the Day on the Franking Bill.

A conversation commenced.

The Speaker observed, that the Bill had been on the table, but after diligent search it could not be found.

The conversation terminated, but the Bill was only mislaid, for it was afterwards found, and the consideration of the Bill adjourned to next day.

The Bill for the relief of Innkeepers was read a second time, and ordered to be committed on Thursday.

The British Fishery Bill was read a third time, and passed.—Adjourned.

HOUSE OF LORDS.

TUESDAY, April 28.

The royal assent was given by commission to fifty-five Bills.

HAIR-POWDER BILL.

Lord Grenville having moved the Order of the Day for the third reading of the Hair-Powder Bill,

The Earl of Moira said, their Lordships were apprised, from what he said on the subject in the course of the preceding week, that he condemned the principle in every point of view; he thought the tax ill-chosen, that it was also ill-timed, and that, according to his conception, little solid argument could be urged in support either of the measure itself, or the means the Bill provided in order to render the measure effectual. He was aware that some captivating arguments had been advanced, in order to colour the tax, and render it palatable. Among others, it had been said, that the manufacture of hair-powder consumed large quantities of wheat; and that in a moment like the present, when bread was so intolerably dear, it was highly essential to the Public in general, and to the relief of the poor more particularly, to prevent and restrain, as much as possible, the waste of so necessary an article as flour: Every thing that conduced to that essential object must be highly desirable. The whole of that argument, however, he must contend, was plausible and fallacious. The farmer, when he put his grain into the ground, did not govern himself by any consideration, how the consumption of his crop would be affected by the manufacture of hair-powder; and if it were true, that hair-powder would be very little less generally worn, after the tax was made a law—the operation of it, with regard to the diminution of the waste of wheat flour, would be too insignificant to bear out the argument. His Lordship said, he could not believe that the tax would be popular; but sure he was, that if it were, its popularity must be built on an erroneous foundation. It had been said, that the burden of it would fall only on the more wealthy and the higher orders of society, and that the middling ranks and the poor would either be wholly exempt from its operation, or feel it very little. This he wholly denied: Many, who could ill afford to pay the tax, must, from their situations in life, continue to wear powder; and others, who from the rank they had held in life, ought to wear powder as they had been accustomed to do, would feel themselves mortified and degraded, because they would be obliged to forego the use of it, from not being able to find the money to pay it. The half-pay officers, mentioned by a Noble Lord the other day, would feel it in that manner; and it had been shewn (at least what had been said in the favour of that respectable class of men had not been contradicted), that they were well entitled to the consideration of their Lordships, even to a partial extent. Was it not cruel to throw a difficulty in the way of a poor half-pay subaltern, who wished to wait on a general officer at his levee, to beg for an increase of bread, and prevent him from paying his respects accordingly, because he could not afford to pay the tax, which he knew he must incur if

if he attempted to give his appearance an air of decency, by dusting his hair with powder? Students in the learned professions, and many others, who obviously must make themselves fit to mix in company with persons their superiors in professional situation, would also feel it severely, by having a check given to that line of conduct, without being allowed to continue which they could scarcely make their way to those steps of preferment, by which alone they could one day hope gradually to attain those emoluments and honours, which it ought to be their honest ambition to aspire to. The principle of the tax was at war with the morals of the people; it served to confound and mislead their sense of moral rectitude, by converting what was not in itself immoral into a crime. It had indeed, his Lordship said, been too much the practice of Tax Bills of late to make this confusion of right and wrong, by selecting objects of taxation not immoral in themselves, and yet declaring them so, for the purposes of the revenue. So convinced was his judgment of the mischievous effect of this, that he declared he had been more than once inclined to oppose them on that ground.

Another, and a radical objection also, in his mind was, the invidious distinction the tax would make between the indigent and the affluent; all distinctions of that nature ought at all times to be avoided, in a country like this. The Bill went to fix a certain badge or token, which could not be mistaken, and which, if the accounts of combinations and conspiracies that had been so industriously circulated were true, which he, for one, did not believe, would give persons concerned in such proceedings a certain mark for distinguishing those of their own way of thinking, by Act of Parliament. Let their Lordships also recollect, that this tax might give rise to a watch-word, which, however ludicrous and absurd in the first instance, might lead to serious consequences. The newspaper writers already talked of the contrast between the *Guinea Pigs* and the *Swinish Multitude*, and the print-shops who dealt in caricature had exemplified the idea. Surely at this time past experience had not been so wholly unattended to, as not to have strongly indicated the impolicy of suffering watch-words to get into use too easily. The distinction of *Roundhead* and *Cavalier*, in the 17th century, originated in a circumstance equally trivial as that of wearing or not wearing hair-powder; and yet they all knew to what scenes of inveterate animosity and fatal mischief those idle nick-names gave rise. Perhaps the distinction of *Whig* and *Tory* might be traced to a source as insignificant; and they all knew, that the distinction had entirely governed the world of political party ever since. Even the song of *Lillibullero*, sung in

the camp of James the II^d. did more than so trifling a cause could previously have been imagined likely to effect. Their Lordships would do well to pause a moment on those historical facts, and call to mind that this was the first time that a British subject had been laid under restrictions respecting the dress he thought proper to wear; besides the manifest injustice of obliging those who had not a fiftieth part of his income to pay the same price of duty for powdering his hair, that he was called upon to pay on that account. In the case of persons, who, like the students he had mentioned, had but slender incomes, it would prove a most oppressive tax. How ill, for instance, could a subaltern officer on half-pay afford a guinea out of his scanty receipt! In fact, he could not afford to pay it. An old proverb said, the additional weight of a fly on a person suffering under extreme pressure, would render that pressure intolerable; and yet this metaphor of the weight of a fly fell short of the degree of pressure of forcing one guinea a year out of the pocket of a man, whose whole income amounted to no more than £34 a year. Let their Lordships for a moment turn that in their minds, and he was persuaded their humanity would induce them to support the clause a Noble Lord meant to offer that day.

The Bill, the Earl observed, would have a further pernicious effect—it would encourage informers by giving them one half of the penalty; and how easily might an information be grounded against even those, who might not mean to offend against the statute! If powder was worn once only in the year, the tax was incurred, and if a certificate had not been taken out, the penalty might be demanded, and the party, if not able to pay it, rendered liable to great difficulty and distress. His Lordship put the case of a kitchen-wench, out of a Christmas frolic, seizing the dredging-box on a holiday night, and dusting her hair for once with flour, perfectly unconscious of the consequences. The wench might be informed against, convicted, the penalty levied, and she, unable to pay the informer his half, although the other moiety might be remitted, was liable to be sent to jail, and thus without a hope of extrication, from the humility of her state and condition, compelled to spend the remainder of her days in a prison. Were their Lordships aware when they felt willing to vote this tax, that they were about to vote such a severe punishment as imprisonment for life to a poor wretch, for the mere frolic, innocent in itself, of catching up the dredging-box once, and dusting her hair with a little flour?

Lord Grenville in reply said, there never was a period when the unpleasant duty of finding taxes capable of producing a revenue

revenue equal to the extraordinary exigencies of the times, pressed more irresistibly on ministers. The tax in question, he owned, he had thought particularly excellent, as it was a tax on the vanity and luxury of individuals, a tax that fell more particularly on the rich, and those who were able to bear it, and did not affect the poor. It would undoubtedly bear hard on certain individuals, which he lamented as much as the Noble Earl did, but what tax could possibly be found that would not press somewhere in a manner much to be regretted? The tax on hair-powder, he really believed, was, and would continue to be, a popular tax, and with good reason. With regard to what had fallen from the Noble Lord, in respect to watch-words and nick-names, he believed that when ill-disposed persons chose to have their jest at any price, they never were at a loss for occasions to fix upon, and that one occasion would serve them just as well as another. If, therefore, in a moment of pressing necessity, ministers were to be terrified from doing their duty from a weak apprehension that their efforts would produce such idle consequences, they would in his mind be utterly unfit for their situations.

To return more immediately to the tax—it could not be called oppressive with any colour of justice, as no man was obliged to wear powder in his hair; it was a matter for his own option entirely, and if he chose to wear it, he at the same time knew what he was to pay for that indulgence to his personal pride. With respect to the penalty, the same argument that the Noble Earl had used on that ground, would equally apply to every Tax Bill that ever passed Parliament, and received the sanction of the Legislature. When it was decreed to lay a new duty in order to raise a large sum for public purposes, it became indispensibly necessary to accompany it with the means of rendering it efficient and productive to the amount which it was clear it might reasonably be expected to raise. But before he sat down, he begged to remind the House of the period of the session, the near approach of the time when the operation of the tax was to commence under the Bill, and the known practice of the other House under the constitution, whenever an alteration was made by their Lordships in a Bill termed a Money Bill. He warned the House, therefore, of the danger of risking the fate of the Bill by any alteration, and he declared it did not appear to him that any alterations were necessary.

The Earl of Meira replied and said, he could not agree with the Noble Secretary of State on the subject of making distinctions, in their nature invidious, and which would afford opportunities for watch-words and nick-names. People

were in times like the present prone enough of themselves to form into clubs and parties without being stimulated to it by Act of Parliament. To one part of his argument the Noble Lord had not in his mind given any answer, *viz.* the principle of the tax being at war with the morals of the people. It was in his conception a strong objection against it, that it confounded morality and justice, and converted that into a crime which was not of itself immoral.

Lord Sydney paid a just tribute to the talents and eloquence of the Noble Earl who had just sat down, and said, he was sure if the Noble Earl himself thought lightly of either, every other person entertained a very different opinion respecting both; on the present occasion he could not help thinking that the Noble Earl felt more apprehension, than the occasion appeared to him to call for. The tax he really considered as a most unexceptionable one; it was clearly a tax on vanity and on luxury, because hair-powder was certainly not a necessary of life, and no man was obliged to wear it unless he chose it; he could not help therefore being somewhat surprised at the opposition which had been given to it. His Lordship said, the Noble Earl had conjured up a case, which he should conceive the chicane of the most ingenious advocate could not so construe and colour, as to make it pass before a judge for a crime, or that sort of violation of the Act which would incur the penalty, *viz.* the case of a kitchen-wench seizing a dredging-box and throwing some flour in her hair on a holiday night, by way of frolic. He verily believed no very serious instance of the danger of becoming liable to the tax without intending it could easily be found, and therefore he did not much wonder that a ludicrous one should be selected. It was not very frequently his habit to refer to the newspapers to see in what manner what he said in that House was represented, but he owned he was sorry to find he had been misapprehended, the last time he had spoken on the Bill. It had, it seems, been conceived that he had spoken against the exemption in favour of half-pay officers, which a Noble Friend of his had recommended; the fact was, as such of their Lordships as were present would recollect, he had not said one word on the subject; half-pay officers not having been mentioned when he rose to deliver his sentiments of the particular topic then in discussion, *viz.* the clause which related to the obligation imposed on masters of families. No man living had a higher respect for half-pay officers than he had; he thought them entitled to every possible consideration, he would not say out of favour, but on a principle of common gratitude. They had fought our battles, they had bled in the service of their country;

country; and such as were not disabled by their wounds, he had not the smallest doubt, would still be proud to fight for their country, whenever she was attacked by her enemies. It was therefore no merit in him to profess an opinion in their behalf; it was merely the discharge of a duty incumbent on himself, and upon every one of the British subjects. Indeed so strongly did he feel for that meritorious class of officers, that he could not venture to trust himself with all he wished to say in their behalf. Certainly it was not his wish that a Bill that was highly probable to be so popular and productive, should be lost by risking its fate, in consequence of any alterations their Lordships might make in it. They all knew what the practice of the other House was respecting Money Bills sent down altered by their Lordships, and speaking as a constitutional man, he thought it a salutary practice. There might therefore be some danger of losing the Bill altogether, if any step their Lordships took respecting it, should give occasion for a new Bill to be brought in, and expose it to new discussion at that period of the session. If then ministers, thought it unadvisable to adopt any clause in favour of half-pay officers, he earnestly implored them to do something adequately, if not more satisfactory, in behalf of a worthy set of men, to whom every individual in the country was under obligation, who were gentlemen from their rank and services, and ought to be regarded as such by all, as well those who were not more favoured in respect to fortune, as those who might have more wealth, but who very rarely, if ever, would be found to possess half their talents and virtue.

The Bill having been read a third time,
Lord Mulgrave rose to propose an additional clause to exempt half-pay officers from the tax, agreeable to the notice he had given on Thursday last. His Lordship explained the grounds on which he had been induced to bring forward the clause which he should have the honour to submit to their Lordships. An exemption of clergymen and dissenters, whose incomes did not amount to £100 per annum, already stood part of the Bill, and he thought it highly proper that it should do so; but surely if such an exemption were deemed right in favour of the clergy, how much stronger must be the claims of the subaltern half-pay officers, the income of many of whom was no more than £34 a year, and even those of subalterns of a higher rank only about ten pounds more. The subalterns of the army, who, from the reduction of their regiments, from wounds, from loss of limbs, were put upon half-pay, were still gentlemen, and entitled to that rank in society;

ciety; why, therefore, was a wound unnecessarily to be given to their feelings, and their pride cruelly mortified by the operation of a tax which it was impossible for most of them to pay; and consequently by being compelled to change the face of their customary appearance, they would stand degraded in the eyes of those among whom they had fought a retreat. Was that a mode of rewarding the merits of those, who had fought and bled in their country's service, becoming the generosity and gratitude of a British Legislature? Let their Lordships recollect the many and serious inconveniencies that the subjecting them to a tax, the principle of which, generally speaking, no Noble Lord approved more than he did, would put them to. The Noble Earl, who so much to his own honour had that day pleaded their cause so powerfully; had mentioned one of a nature sufficiently material to satisfy the House; that the exemption he wished to obtain in their behalf was a reasonable exemption.

The Noble Earl had told them, that in consequence of this tax, if the clause he should propose were not received, the poor subaltern would be debarred from the opportunity of attending the levee of a general officer to solicit an increase of his scanty pittance, and to ask for better bread. Could half-pay officers, if the Bill passed, any longer mingle with those genteel circles in which they had been received and considered among their chief ornaments? What must be the feelings of a half-pay subaltern, when he saw his equal in rank, but his junior in years and service, who had the good fortune to be on full service, appear in the same town, village, or hamlet in which he happened to reside for the sake of œconomy, would he not be cut to the soul to feel it necessary for him to retire from the observance of his neighbours, from the consciousness that his own appearance was not fit to vie with that of the happier individual, in possession of those favours of fortune to which his own merits were equally, perhaps better entitled? He appealed to every professional Peer present, whether the half-pay officers did not stand entitled to every possible consideration and favour at the hands of the Legislature, and whether they would not severely feel the mortification of being thus suddenly degraded from the rank of gentlemen. He would ask such Noble Lords also, whether they were satisfied that the half-pay officers neither could afford to pay nor would pay the tax, and that consequently the revenue would not benefit or lose a shilling, whether they granted the exception or not. He would appeal to a Reverend Bench also, and he trusted he should meet with a ready support, because he was persuaded the candour and humanity that so eminently distin-

distinguished that Reverend Bench, would lead them to assist in obtaining that favour for half-pay officers which had been so readily, and in his opinion so properly, granted to inferior clergy. Much stress, his Lordship observed, had been laid upon the assertion that hair-powder was not a necessary of life. Strictly speaking it was not a necessary; but as far as custom established for a long course of years was to be regarded, it had in some sort become a necessary of life; at least it was as much so to the half-pay officer as to the clergy. What greater necessity, he would ask, was there for a clergyman to wear powder, than for the half-pay officer to do so? A clergyman could read the service of the church just as well in his own black hair, as he could do if it were powdered. Would powder in his hair help him in the composition or delivery of a discourse? Would it add to the energy and spirit of the one, or increase the eloquence and impressive effect of the other? And yet he heartily rejoiced, that so liberal an exemption had taken place respecting clergymen of the description that they had stated, as he always wished to see that body of men regarded as persons to be looked up to by their parishioners with due reverence; but the same principle that made an exemption proper in favour of the inferior clergy, would bear out the exemption to the half-pay subalterns. His Lordship warmly pressed every part of his argument, and said, he must have forgotten all that he had witnessed in the course of his professional life, if he had not seized the occasion of standing forth the advocate of men whose merits and whose services so well entitled them to the kindest consideration of their Lordships. Before he concluded, he complimented ministers on their general readiness to lend a favourable ear to the just claims of the deserving; it had, he said, been the labour of his life to give them every possible support from a consciousness of the rectitude of their intentions; and he trusted he never should have the smallest reason to change his opinion, or deviate from the path that he had uniformly pursued. His Lordship then read his clause, and said, if either the Noble Secretary of State or any other Noble Lord would suggest a modification of it, that would render it more acceptable, he would readily adopt it, as he was by no means wedded to the form in which it was drawn; his object and his earnest wish was to obtain the exemption in favour of half-pay subalterns.

Lord Romney desired to give his reasons, why he should vote for the Bill, and against the clause proposed. It was not, he assured the two Noble Lords who had argued in support of the clause, from any disrespect to them, but because in times of great public distress he thought it the duty of all their Lordships to look the difficulty in the face like men, to meet it with necessary fortitude,

tude, and adopt such measures as the exigency of the case required. He therefore was for supporting the revenue, and he had observed, that there was scarcely any tax that had been much opposed when first brought in that had not turned out a very productive tax in the end. He professed his respect and gratitude to the half-pay officers as a body, but he could not agree that in this case they ought to be exempted from the tax. His Lordship said, he highly approved of the principle of the Bill, and he did not wish it to be lost; it had passed the other House with general approbation, and nothing had been proposed there respecting an exemption in favour of half-pay officers, and that would have been the proper place for such a clause to have been discussed. Their Lordships all knew what the practice of the other House was respecting money Bills, when altered by them, and he would own for one he highly approved that practice. He certainly saw no absolute necessity for any particular description of men to wear powder; and he should conceive that a student might apply himself to acquiring a knowledge of a learned profession as well without powder in his hair as with. He hoped the tax would be productive, but he was inclined to think it would in some considerable degree prevent and restrain the use of powder. He begged before he sat down, to say, that he should be ready to concur with their Lordships in any measure that might be thought proper in favour of half-pay officers; and he hoped next session that they would be relieved; but under the present circumstances, he owned he wished the Bill might pass as it was.

The Earl of Guildford said, he saw no reason why the clause proposed by his Noble Friend should not be adopted. With regard to the objection of the Noble Secretary of State, his chief objection he understood to be the same with that of his Noble Friend who had just sat down, viz. the practice of the other House in respect to money Bills, which were sent down with alterations in them made by their Lordships. He declared he thought that practice a very proper one, and useful to the support of the constitution; it did not however, in his mind, amount to a sufficient reason why the clause should be rejected. He had always considered, that when their Lordships made an alteration in a money Bill, they rejected that Bill, assigning their reasons for it. But that would only occasion a delay of a few days, as the other House, with the Chancellor of the Exchequer in it, would doubtless think it proper to bring in a new Bill, adopting their Lordships alteration and amendment, and that Bill might pass both Houses almost directly.

The Bishop of Rochester said, he felt himself appealed to by the Noble Lord who had moved the clause, and therefore he must trouble their Lordships with a few observations. He
could

could not admit the principle that they ought never to object to a revenue Bill, because the other House might throw it out. The Noble Lord had emphatically appealed to the bench on which he had the honour to sit, and had called upon him to say, whether he thought a clergyman had any actual necessity to wear powder in his hair. He did not scruple to say that he did not think he had. For one he felt himself bound to meet the claim of the Noble Lord, and support the clause, as the same principle that justified an exemption in favour of subaltern clergy, would undoubtedly justify an exemption in favour of half-pay subalterns. So obvious was this, that he wondered much that the House of Commons should have sent up the Bill with such an iniquity on its head. A Noble Earl (Lord Moira) had complained of laying down distinctions in dress as a matter perfectly inconsonant with British liberty. Was the Noble Earl aware that the practice of distinguishing rank by dress under the authority of law, had prevailed in the freest democracies that ever existed? It was in his opinion a wise practice, it restrained the lower ranks from aping their superiors, preserved due subordination, and tended essentially to the purposes of general prudence and economy. With regard to the clause before them, he considered it to be founded in equity and reason, and he should certainly vote for it, if the Noble Lord persisted in taking the sense of the House upon it. Half-pay officers wanted no encomium of his to blazon their fame; they were gentlemen, and entitled to rank as gentlemen; and it was ridiculous to expect a guinea a year out of their pockets for the tax, when the guinea could not be found there. He therefore hoped if that meritorious description of men could not be assisted in this Bill, without danger to the Bill itself, a new one exempting them from the tax would immediately be brought in.

Lord Romney said, he believed a new Bill affecting a tax of the year could not, according to the practice of Parliament, be brought in the same session. What he rose principally for, however, was to correct a mistake that he had accidentally fallen into—he had said, no clause in favour of half-pay officers had been proposed in the other House. Since he sat down he had been informed, that such a clause had been introduced and debated in that House. He begged pardon for his mistake.

Lord Grenville complimented Lord Mulgrave on the honourable zeal and feeling, that he had evinced in behalf of all those gentlemen of his own profession, who were on half-pay, and declared himself perfectly ready to confess their merits, though he could not admit that there was any real occasion for the clause in question. He said, he could not agree with the principle

ciple that seemed to have been laid down by the Noble Lord who introduced the clause on the one part, and admitted by the Right Rev. Prelate on the other, as a fit principle to be adopted in Parliamentary proceeding, viz. that one set of men in Parliament should agree to support another, provided that other set of men would in their turn support them with a view to exemptions from the operation of a tax. Something like this he thought he saw symptoms of that day, and therefore it became necessary for him to caution their Lordships against such combinations, because, if they were to be encouraged, it would in the end become absolutely necessary for all men to become members of the one or other of the two professions, in order to be entitled to exemption from taxes. Having laughably condemned the appeal Lord Mulgrave had made to the Bench of Bishops, his Lordship said, for his own part, he could not think that the clause contended for was necessary, because there was no moral necessity for an officer on half-pay to wear powder in his hair; and so far from thinking that it ought to be admitted because an exemption in favour of clergymen, whose income did not amount to 100l. a year had been accepted by the other House, he really should have liked the Bill better, if it had not contained any exemption whatever. His Lordship spoke of the necessity that must be evident to every Noble Lord, that the Bill should pass with as little delay as possible; and he again reminded the House of the danger it might lead to, if they made any alteration in it.

The Duke of Richmond said, as the Noble Lord had appealed to every professional man in the House, he felt himself in some degree called upon to give his sentiments; and first, he must say that he did not think it by any means proper for Noble Lords to argue professionally in that House; they were to take up matters on general grounds, as Lords of Parliament. With regard to the tax, the Duke said, he considered it as one of the best that ever was invented, and he verily believed that it would be extremely productive, because he did not think with the Noble Lord (Lord Romney) that it would prevent people from wearing powder; on the contrary, he believed it would make no difference whatever, because powder was not merely an ornament and a decoration, but in some sort a necessary, as it conduced to cleanliness. With regard to the proposed clause, he declared it appeared to him too general. Among the half-pay officers, there were certainly many very meritorious and deserving men, but there were no less certainly others of a different description. If the clause were likely to succeed, he wished it to be new-modelled, in order that the deserving

serving officer on half-pay might be distinguished from the undeserving. It was well known, when a war was nearly at an end, his Grace said, that men who, so far from being officers, were not entitled to be considered as gentlemen; many of them had been waiters at taverns, and persons, who having one way or another got money enough in low stations to enable themselves to purchase ensigncies merely for the sake of the half-pay, bought subaltern commissions. Whenever peace was known to be likely to take place, this practice obtained; it had done so, particularly just before the end of the last war. He wished therefore that the clause should contain some restrictions, so as to confine the exemption to those who really deserved the strong arguments which the Noble Lord had with so much energy and feeling advanced in their favour. One mode of discrimination struck him as easy and practicable, viz. that the exemption, if agreed to, should extend to no half-pay subalterns, but those who had tendered their services to the War-office within a given time, the last twelve months, for instance. His Grace enlarged on this idea, and declared himself disposed to support the clause, if modelled in conformity to it.

Lord Mulgrave spoke with great eloquence in reply, and began with noticing that part of the Duke's speech, in which his Grace censured any Noble Lord's speaking professionally. His Lordship said, he hoped he never should forget that profession, in which he had the honour to be bred; nor let slip the opportunity of speaking professionally, whenever a fit occasion offered, for shewing the sincere regard he felt for those, whose merit he knew, whose services he had witnessed, and whose claims to consideration on every occasion he should ever hold it his duty to support and maintain. Not speak professionally, not argue from professional feelings!—he knew not that thing on earth that could induce him to part with those feelings, or forego acting upon their impulse. In the discharge of his duty as a Lord of Parliament, he trusted that he ever should conduct himself unexceptionably; but gratefully as he felt the honour conferred on him by his Majesty, which entitled him to a seat in that House, he would sooner give up his situation as a Lord in Parliament than abandon his feelings for those whose services he had seen, and for whose interests he felt it his duty to be alive at every point. His Lordship painted in glowing colours the honest triumph felt by subaltern officers after a victory, though they themselves had bled, and sometimes been severely wounded in their laudably zealous efforts to assist in obtaining it. The honour they felt they had done themselves on such occasions superseded every feeling of personal inconvenience, and swelled their hearts so high, that they looked
I
down

down even on their Lordships not with invidious or insolent contempt, but with a sort of conscious superiority; and ought such men, he would ask their Lordships, to have their innocent vanity hurt, and their pride unnecessarily humbled and mortified? Having most warmly pleaded the cause of the half-pay officers, Lord Mulgrave said, with regard to what the Noble Duke had observed, if such abuses had crept into the service, those who were at the head of the army at the time deserved severe censure for their negligence and inattention; but the censure ought to rest with them, and not operate to the disadvantage of a worthy set of men, who, generally considered, were men of a most meritorious description. But his Lordship said, many officers on the half-pay list were disabled by their wounds, and rendered incapable of future service; they therefore could not have tendered, or be expected to tender their services to the War-office, as the Noble Duke had suggested; and he could not help thinking that the Noble Duke was mistaken as to the fact of waiters at taverns, &c. purchasing ensigncies for the sake of half-pay, because surely it was not very likely, that men who knew the value of their money would give 400l. to buy such a paltry life income as 34l. a year. His Lordship ridiculed the arguments of those Noble Lords, who had maintained that there was no moral necessity for half-pay officers to wear hair-powder, and shewed that the argument of moral necessity might be pushed to a most absurd extent, and applied to almost every rank and description of men. He declared, he wished exceedingly to obtain the Noble Duke's support, and would agree to any modification of his clause to render it palatable, nay, he would readily forego it altogether, if his Majesty's ministers would say that anything should be done for half-pay officers by the medium of a distinct Bill; but he hoped something would be done in their behalf, and that after all their services they would not in effect receive the same answer that he recollected to have been given by the Cardinal *Du Bois* to a poor Abbé, who having written a book brought it to the Cardinal for his protection, when the Cardinal sternly asked him, why he employed his time in that manner. The Abbé replied with great humility, *Helas! Monseigneur, il faut que je vive*; on which the Cardinal without moving a muscle said, *Monsieur, je n'en vois pas la nécessité*—a sentiment which he flattered himself their Lordships would not adopt on the present occasion.

The Duke of Richmond rose to explain, and assured the Noble Lord that he had not advanced an idle story relative to waiters at taverns, and men of a low description in life having purchased ensigncies, towards the conclusion of a war, when it was known that a peace was near at hand; but that he spoke
of

of a well-known fact, and that he believed the purchases were generally for a much smaller sum than 400l., which was the price generally given for an ensigncy on full pay. His Grace repeated what he had before said, of the practicability of distinguishing the proper objects of exemption among the half-pay officers from those who might be considered as improper ones, by extending the benefit of it only to those who had made a tender of their services within a twelvemonth to the War-office, or those who were actually disabled from further service by wounds, loss of limbs, &c. and he said, he was well aware that in the list of half-pay officers many deserving men of the latter description were to be found.

The Bishop of Rochester rose to justify himself from the possibility of falling within the scope of the observation of the Noble Secretary of State, who had said, that if their Lordships gave way on the present occasion, because a combination might have been formed between Noble Lords of different professions, in order to exempt their brethren from the operation of particular taxes, such combinations might be carried to an unlimited extent, and have their influence in all tax Bills. His Lordship declared, that he had delivered his own impartial sentiments on the clause in favour of half-pay officers; and by those sentiments he would, so far from entering into a combination with the Noble Lord, endeavour to save the half-pay officers from the operation of the tax, because the clergy of a certain description had obtained an exemption in their favour; he had not even exchanged a word with the Noble Lord on the subject of his intended clause, previous to his moving it. He had listened to his argument, and as it was obvious that the same principle, which warranted the exemption of the subaltern clergy (if he might so describe many very deserving gentlemen of his own profession) from the operation of the tax, applied with equal force to the subaltern half-pay officers; he had fairly avowed his opinion on that point. With regard to what the Noble Duke had stated of there being persons on the half-pay list, who did not deserve favour or consideration from their Lordships; it was to be remembered on that and every occasion, that in every numerous body of men, there were always some undeserving individuals; but surely the worthy should not suffer for the unworthy.

The Lord Chancellor declared, he had been astonished at the debate from the moment of its commencement, and the more astonished every moment that it had proceeded, because the majority of the Public clearly approved of the principle of the tax; and that being known to be the fact, it appeared

extra-

extraordinary to him, that Noble Lords should attempt to impede the progress of the Bill. The arguments that had been urged in the course of the debate, though meant, no doubt, to support the clause, a clause undoubtedly brought forward by the Noble Lord on noble, generous, and humane grounds, rather fell in with the course of reasoning pursued by the Noble Earl, who began the debate by a general and fairly avowed opposition to the principle of the Bill, than applied immediately to the clause in question. That there certainly was no physical necessity for ornamenting the head with powder, if it was an ornament, was a matter admitted, nor could it be pretended, nor was there even a moral necessity for it. Why then was it contended for with as much pertinacity and ardour, as if it were not an absolute luxury, a mere sacrifice to personal pride and vanity? It had been said, that wearing powder in the hair marked the distinction between a gentleman and a person of inferior rank. He peremptorily denied it, and most especially he must assert, that it was unnecessary to be worn by a subaltern half-pay officer, because the amount of his income was not a secret, nor a circumstance known only to himself. As far as regarded his half-pay, his slender income stood exposed publicly, and every man who knew his rank as an officer, knew the amount of his half-pay. It certainly therefore could be no disgrace, no dishonour, no longer to appear with powder in his hair, when the reason was obvious to an honest man, of which no honourable mind ought to be ashamed—he could not afford the expence of it. Would any man who had the smallest pretensions to liberality, shut his doors against a deserving man, because his hair was not powdered? Least of all would a general officer, who, from his professional knowledge, would best know why the subaltern who came to solicit for better bread, as it had been termed, refuse to admit him to his levee on that account? It would be the extremest injustice to military men of high rank in the service, to suppose it possible that they could act towards men of merit of their own profession, but of humbler station, in a manner so dishonourable to themselves. Could there be a stronger proof that the going without powder did not diminish the degree of respect due to an individual, than the appearance which a Noble Earl near him had thought proper to make that day? (Lord Guildford, who being *deshabillé*, was unpowdered.) Would any one of their Lordships give up an iota of that universal regard and esteem which the Noble Earl's eminent talents had not been more instrumental in acquiring him, than his many amiable virtues, on that account? He was persuaded they would not, and therefore
the

the noble illustration of his argument, which chance had presented to his eye, he hoped would convince their Lordships that it was substantial and solid.

HAVING raised a general smile by this *en passant* illustration in allusion to Lord Guildford, one circumstance that induced him to rise, he said, was, in order to rescue Cardinal *Du Bois* from a charge of brutality, that neither belonged to his character, nor with which, indeed, he had any sort of concern. The Noble Lord who had related the story, had accidentally forgotten not only the ground of the conversation that he had stated, but the persons concerned in it. The real fact was this:—A gross and scandalous libeller was brought before Monsieur *d'Argenson*, a magistrate of police, to answer for a most infamous and indecent publication, the name of which, his Lordship said, he well recollected; but it was too offensive and scandalous to be mentioned. The author, when questioned by the magistrate as to what excuse he had to offer for having written such an unwarrantable libel, answered, *Helas, Monseigneur, il faut que je vive*; when Monsieur *d'Argenson* answered wittily, but to such a man justly, *Monsieur, je n'en vois pas la nécessité*.

His Noble Friend, the Secretary of State, had well said, he should have liked the Bill better if it had been sent from the Commons without any exemption. So, he confessed, should he have done himself. He saw no necessity for a clergyman's wearing hair-powder more than an half-pay officer; it certainly, as the Noble Lord who moved the clause had observed, would not add to his eloquence in delivery from the pulpit, nor lend an energy to the style of his discourse, when composing it in his closet. Had the Bill come before their Lordships without a clause of exemption, its principle would have stood one and inviolate, supported by its own grounds; and the Bill would have been perfectly unexceptionable. His Lordship said, with regard to the popularity of the tax he had not the smallest doubt, and he had as little doubt that it would prove productive. The circumstance so ingeniously called into his argument by a Noble Earl, that a poor kitchen-wench might, out of sport, on a Christmas evening, snatch up a dredging-box and throw flour into her hair, and thence from that single act of holiday frolic, incur the penalty, and be pursued for it, till it ended in imprisonment for life, was rather, in his mind, calculated to excite a smile than any serious apprehension. No person informed against on such grounds would ever be convicted, or have the penalty levied against them, much less be sent to jail for life, for want of the power of paying it. The Noble Earl appeared to have reflected on every

possible ground of objection, and had therefore mentioned students of the learned professions; but surely the younger sons of noble families, whose brothers enjoyed splendid incomes, might with as much reason be quoted, as they would feel it equally; but still he saw no reason why gentlemen of that class might not study as well at the university without powder as with it. Students of the learned professions certainly could not mix with society without making an appearance suited to the custom of the times, and it was the general interest of all men that students should keep good company, that they should meet with encouragement, and be well received everywhere. And yet, considering them as the strongest case of the two, he saw no reason why they should not feel the pressure of the times in common with the rest of his Majesty's subjects. His Lordship added some further arguments of a general nature in support of the Bill as it stood.

Lord Mulgrave said a few words in explanation.

Lord Auckland said, that if the Bill had come from the other House with a clause to exempt half-pay officers in the manner now proposed, he could cheerfully have acquiesced in it, as he had done with respect to the exemption of certain classes of churchmen. In saying this, he was actuated by the sentiment which had so strongly shewn itself in the present debate, and by feelings of regard for a respectable class of individuals. The cool and unbiassed dictates of his judgment were adverse to the whole chapter of exemptions in the system of taxation. Every exemption was a deviation from principle, which led to a farther deviation. "*Deme unum atque etiam unum.*"—Remove one extreme case of hardship, and another would always be found behind it. Even in the present case the exemption of the inferior clergy had been used as an argument for the exemption of the half-pay officers.

If he had thought it right to propose alterations in the Bill, there were others which he could have wished to introduce. For example, it was his opinion that the tax was too high: He had no doubt that it would be very productive; but perhaps as a measure of finance, it would eventually have been more productive, and certainly more satisfactory, if it had been put at ten shillings *per* head instead of twenty-one. This however was a mere personal conjecture, which he was not inclined to set up against the judgment and decision of the other House of Parliament. The constitution had assigned to that House the originating of taxes—In times like the present it was an arduous and painful duty, and their Lordships would not add to its difficulties, or interrupt the public supplies, unless the case were more urgent than what had that day

day been stated. A Noble Earl (Lord Guildford) had justly said, that an amendment of a tax Bill, by their Lordships, could only be considered as a rejection of the Bill with an assignment of reasons. His sense of the present crisis would not allow him to reject the Bill in question; more especially when it was notorious that the reasons to be assigned had already been discussed in the other House, and had been deemed inadmissible.

The House divided :

Contents - - - 11

Not-Contents - - - 15

Majority 5

The Bill then passed.

HOUSE OF COMMONS.

TUESDAY, *April 28.*

Mr. Henniker Major moved for leave to bring in a Bill, giving a discretionary power to courts to grant costs to prosecutors in cases of misdemeanor.—Granted.

Mr. Powys moved for leave to bring in a Bill to remedy deficient weights and false balances.—Granted. The Bill was brought in, and read a first time.

The Speaker stated that he had been at the House of Lords, where the Royal Assent had been given, by commission, to several public and private Bills.

The Franking Bill was passed.

Mr. Barham gave notice of his intention to make a motion, on Monday, for papers relative to the conduct of the commanders, Sir John Jervis and Sir Charles Grey, towards the French in the West India islands, after they had submitted themselves to the British troops. He should also move for the instructions given to those commanders, for the proclamations which they had issued, and for the memorials which had passed between them and their officers, and between them and ministers. He should move for these papers with a view to a subsequent motion, that the House should enter into an inquiry with respect to the transactions to which they related, an inquiry which, in the present moment, became peculiarly important.

Mr. Grey expressed his satisfaction at the notice which had been given to the House. He would only repeat what he had said, that nothing could be more agreeable to the persons,

whose conduct had been unjustly attacked, than the inquiry which was now proposed. He had no objection to the production of the papers; on the contrary, he thanked the Hon. Gentleman for having moved to bring them forward. He should himself have occasion to move for other papers, and likewise that witnesses might be called upon in the course of the inquiry. He wished that the notice had been given at an earlier period, when all the documents, which were now required, were equally in existence. Some of the officers, whose testimony was material, were at present on the point of leaving the country; but he trusted that the delay, which would be necessary for the vindication of the commanders under whom they had served, would not be found incompatible with the public service.

The Bill for granting relief to the Poor at their own houses, after some remarks, was appointed to go into a Committee on Monday following.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, April 29.

General Macleod gave notice, that he would the next day move for a return of the British forces, including the fencibles.

On the question being put, that the Bill to prevent the stealing of Dead Bodies be read a second time,

Mr. Mainwaring moved, that the House be counted, when there being only twenty-three Members present, the House adjourned.

HOUSE OF LORDS.

THURSDAY, April 30.

The Royal assent was given by commission to the Hair-powder Bill, and to several private Bills.

The Earl of Moira adverted to the happy event of the nuptials of his Royal Highness the Prince of Wales, and to the general hopes which insolvent debtors had cherished in consequence of it. His professional avocations had lately prevented him from attending his duty in the House, and from submitting to their Lordships his ideas of the propriety of adopting some permanent regulation of the law with regard to insolvent debtors. He wished that the fullest investigation should be
had,

had, and the most clear discrimination between the cases of the fraudulent and the unfortunate. He wished also that no unnecessary delay should take place in the investigation of this pressing and important subject. Long ago their Lordships had put some questions upon this matter to the Judges, and he knew not the reason why these learned ministers of justice had not come to a determination. He would not at present attempt to introduce any Bill relative to insolvent debtors, because he should feel it his duty, whenever he did so, to attend such Bill in every stage, and that his professional avocations would not now permit; therefore he would only for the present offer a petition, which he held in his hand, to be read.

The petition was accordingly read. It was signed by a considerable number of persons who had the misfortune to suffer imprisonment for debt; expressing their joy at the happy event of the nuptials of his Royal Highness the Prince of Wales; stating generally the hardships which they suffer, and expressing a hope that they might be permitted to enjoy the blessings of liberty; imploring the kind and generous interference of their Lordships, and praying such relief, as to their Lordships might seem meet.

Lord Viscount Sidney called their Lordships attention to a circumstance which related to himself. He had lately discovered that a great abuse had been practised on the liberty of franking newspapers. Many newspapers had been sent in his name without his direction. He had never granted that privilege to above two or three, and he understood that fifty had been sent in his name to different parts of the kingdom. He did not desire that newspapers should not be circulated, and if it was meant for purposes of revenue, let them be sent free to any Member; but while the matter stood as it did, he thought it should be put on some clear footing. He had made inquiry upon this subject at the Post-office, but he there learnt that he could have no redress, that some of the editors had got a stamp of his name, and sent as many papers as they thought proper under its sanction, without any authority from him. He understood that the same freedom had been taken with the names of other Noble Lords, and of many Members of the other House of Parliament, and that a great number of newspapers had been sent under cover to different parts of the kingdom; nay, last year, a gentleman in the county in which he lived, received a packet of the most libellous and seditious papers he ever read, under the cover of a Secretary to the Treasury. He hoped some method would be adopted to prevent such glaring abuses of the privileges

leges of Members of Parliament. With regard to himself, he did not wish to take any harsh measure at present, but trusted that no editor of a newspaper would use his name in future without his authority, and that what he had now said would prevent the necessity of his troubling their Lordships again upon this subject.

PRINCE OF WALES'S DEBTS.

The Duke of Grafton began a very earnest appeal to their Lordships, with observing that it was highly necessary to preserve the dignity of that House, and the respect due to both Houses at all times, and not to fully or diminish either by taking any premature step that might occasion embarrassment in time to come. Their Lordships, he trusted, would all feel this, but most especially in the days in which they lived; when it was more than ever necessary from the unparalleled degree of difficulty and distress in which the total incapacity of his Majesty's present advisers had so unfortunately involved the country. Of that incapacity he had witnessed abundant proofs, in the manner of their disposing of the most important points that had been offered to the consideration of their Lordships; and most especially the last motion relative to an inquiry into the state of the nation, brought forward by a Noble Earl, which the influence of ministers had caused to be disposed of contrary to all precedent, and when he, among other Noble Lords, anxiously entreated the adjournment of a single day to reconsider the subject, and to avert the evil of a precipitate decision on so important a question.

The taking, as he had already said, any step that might depreciate that House, was of all things that which he had most to dread. In this light did he see a step that was about to be taken in that House the next day—(his Majesty's message on the affairs of the Prince of Wales)—a measure in itself highly important, and of so delicate a nature, that the other House had thought it required a very minute inquiry, for so he understood, and he did not mean to speak unparliamentarily, he understood it from the printed votes of that House. He should not enter into particulars upon the subject then, nor could he, by late experience, flatter himself with much hope that any thing he might urge would make any very deep impression upon their Lordships. But as this matter was to be brought on in that House the next day, and considering what had passed in the other House, that there a call of the House had been agreed upon previous to any discussion of the business, he trusted he should not be thought

to deviate from the rules of Parliament if he advised their Lordships to be extremely cautious, and to recollect the danger of disgracing both Houses, the Royal Family, and the King upon the throne, if they took a single step, till their Lordships should have the measure before them which the other House might send up. Supposing that their Lordships should come to some proposition the next day on the subject he alluded to, and should not have the good fortune to have the concurrence of the other House, what would then become of their Lordships proposition? they could not controul the other House upon the subject, for they held the public purse. He would have their Lordships, therefore, think a moment before they proceeded in this business. It was impossible that they should take any step, without running the danger of committing the House to what they might not afterwards be able to maintain; for they could not know what proposition might come up from the other House of Parliament; and thus their Lordships, by adopting any measure the next day, might be very much perplexed and entangled afterwards, when they might be called upon to assent to, or dissent from, any measure that came from the other House. When that measure, whatever it might be, should be fairly before their Lordships, he would deliver his opinion, without meaning offence to the Illustrious Personage in question, or indeed offence to any quarter; but as an honest man, openly and unreservedly, although he might differ from his nearest and dearest connexions, as he had more than once been, painfully to himself, obliged to do. His Grace repeated that he feared that the House might be brought into a state of embarrassment, if they adopted any thing upon this subject the next day; and therefore he hoped his Majesty's ministers would not think of pressing any one measure in this very critical and delicate business, before they knew what the other House would resolve upon.

Lord Grenville said, if the Noble Duke had but waited till the next day, he would have found that there was not the smallest occasion for his Grace to have felt that extraordinary degree of alarm that he had so anxiously stated. Certainly no Noble Lord could imagine that it was his intention to propose any measure that could lead their Lordships into detail on the subject. They must undoubtedly wait till they saw what the measure was which the other House should legislatively send up for their consideration, before their Lordships proceeded to discussion and debate on the subject. All he meant to propose the next day, would be what every Noble Lord who had read his Majesty's Message, would see was indispensibly necessary, *viz.* to move an humble address to his Majesty, expressing their

thanks

thanks for his most gracious communication, and assuring his Majesty of their Lordships uniform affection to his person and the interests of the Royal Family; and that at a fit time they would cheerfully concur with the other House, in such measures for making a proper provision for his Royal Highness the Prince of Wales, as under all the circumstances of the case should appear requisite. Such an address, his Lordship said, would not commit or pledge that House to any one proceeding, but would leave the whole subject open to full and free discussion. The whole subject must come before the House, and be considered again. If the Noble Duke attended to the Message from the Throne, he would see that they were not called upon to come to any proposition at present that might lead to what the Noble Duke apprehended. Perhaps he was not regular in stating at the present moment what he intended to move the next day.

The Duke of Grafton said, he was not quite satisfied; if any body was out of order and irregular, he knew that he was that person—anxiety for the occasion betrayed him into it. He did not mean to evade the question in any shape; he thought it would be wrong for that House to take the slightest notice of it, or take a single step in the business, for fear of going too far, until some measure had been adopted by the Commons; because, until that happened, there could be nothing on which any resolution could be grounded: And therefore, if the Noble Secretary of State persisted in his intention of moving either an address, or any thing else, he begged leave to wash his hands of it altogether. Whenever the matter should be brought forward, their Lordships ought to know what they might do, without being subject to the chance of its being afterwards set aside. It was with that view he rose to submit his ideas to the House. With regard to the measure itself, when it came to be discussed, he repeated it, that he should give his assent or his dissent, without considering whether he should give offence to that House, to the nation, or elsewhere, for he was determined to do what appeared to him to be his duty.—Here the conversation ended.

FEEs IN THE SECRETARY OF STATE'S OFFICE.

The Earl of Lauderdale took the opportunity to state to the House, that so early in the session as the 26th of February, he had moved an address to his Majesty, for papers to be laid on their table, relative to the fees received in the offices of the Secretaries of State. They had not yet appeared; why, he could not conceive. He wished to know of the Noble Secretary of State, when they were likely to be produced; and
secondly,

secondly, whether there was any difficulty arising from inaccuracy in the form in which his motion was worded: If so, he was ready to correct it, and render it practicable.

Lord Grenville said, he could not assign any reason for the delay, but that he would make inquiry.

The Earl of Lauderdale then observed, that the session was now far advanced, and the Public ought to know in what forwardness our preparations were for a future campaign, and what troops were intended to take the field. Ministers also stood pledged to make some communication relative to the Imperial loan, as soon as they could. The Noble Secretary of State would recollect, when the message relative to that loan came down, it was stated, that certain sums of money had been advanced to the Emperor. He suspected that this country had paid, or stood pledged to pay, a larger sum of money than was communicated to Parliament. As he thought it material for the House to know this, he should have a motion to make relative to the sum of money advanced at this period, by this country, to the Emperor.

Lord Grenville referred to the tenor of the message, to which the Noble Earl had alluded. In answer to the first question, relative to a future campaign, all he could say in addition to that was, that he had no commands from his Majesty to make a further communication upon that subject, and therefore it was impossible for him to make any other answer. To the other part of the Noble Earl's request, he saw no pointed objection.

The Earl of Lauderdale then moved for an account of such further sums of money, as his Majesty has been induced to order to be issued to his Imperial Majesty, since the last return, specifying the dates, &c.—Ordered.

RECAL OF THE LORD LIEUTENANT OF IRELAND.

The Order of the Day, on the motion of the Duke of Norfolk, to inquire into the circumstances of the recal of Earl Fitzwilliam, being generally called for,

The Earl of Guildford begged leave to remind the Noble Duke, on whose notice their Lordships were that day summoned, of the extreme impropriety of bringing forward his question respecting the recal of the late Viceroy of the sister kingdom, during the absence of a Noble Duke, the cause of which absence they must all lament. He therefore submitted it to the House, whether it would not be more satisfactory to their Lordships, and to the Public at large, to defer the discussion of this important business, to some day when their Lordships might have the advantage of the attendance of that

Noble Duke, who was deeply implicated in the business from his official situation.

The Duke of Norfolk said, he did not mean any disrespect to the Noble Duke, nor would he urge his question, if sufficient reasons for postponing it were assigned; but he did not think the case was quite made out. A Noble Earl, who had lately been recalled from an high and important station, had come down to that House, and charged Administration with having done what they did unjustifiably; implicating his character in charge in his absence; and calling on them to name a day to inquire into all the circumstances of the transaction. Blame there certainly was somewhere, and that House had a right to have the true grounds of it ascertained, for their satisfaction and that of the Public. One minister was prevented from attending the House to-day, and it was supposed that the question referred to the department of that minister in particular; that seemed to be the reason why this business was wished to be deferred. It did not appear to him to be by any means a sufficient reason; but he would be guided by their Lordships, if they would be pleased to suggest their desire. As there were two parties concerned in this business, his Majesty's ministers and the Noble Earl, and there certainly was an obvious indelicacy in forcing either of them to say a word on the subject, he would therefore wait for the opinion of other and less interested Lords. When he understood the wish of the House, he would act accordingly. He was either ready to proceed at that moment, or to wait a few days longer.

The Earl of Moira conceived the Noble Duke would find it absolutely impossible to bring forward his question, when he considered that the absent Secretary of State presided over the office with which the Viceroy of Ireland immediately and solely corresponded. If the newspapers correctly reflected what had passed in the House of Commons of Ireland, when a question for an inquiry on the same subject had been lately agitated, an Hon. Gentleman, who had lately left England, and who had much conversation of a confidential nature with his Majesty's ministers, had declared *upon his honour* that the Noble Earl had not gone a step beyond his instructions. His Lordship mentioned the respect personally due from one Noble Lord to another; and said, that to proceed in the absence of the Noble Duke, would be a mark of disrespect to him, without being of any advantage to the House. The Noble Duke ought to have an opportunity of taking his share in the discussion, especially when the usual practice, that each party involved in blame ascribable to one or other should be present, was considered.

The Earl of Guildford was still of opinion that the discussion ought not to be gone into in the absence of the Noble Duke. He thought it would be with more satisfaction to themselves, to the people of this country, and to the people of Ireland, to proceed in the presence of the Noble Duke, and therefore he must persist in desiring to postpone the subject; he accordingly moved, that the Order of the Day be discharged.

The Duke of Norfolk said, he should move that their Lordships be summoned at a future day, to take this business into consideration. He differed from those who saw so much necessity for the presence of the Noble Duke. He conceived the matter to rest entirely between the Noble Earl who had been recalled, and the Committee of the Privy Council at large, and not at all with any particular individual of the Cabinet.

The Order of the Day being discharged, *Lord Grenville* said, whenever the motion, of which the Noble Duke had given notice, should be brought forward, he should give it his decided negative; it was to him, therefore, matter of indifference, whether the business came forward on that or any other day. He said this without intending to convey any idea, that he concurred in the propriety of some suggestions which he had heard that day.

The Earl of Lauderdale said, that no one lamented more than he did the indisposition of the Noble Duke (Portland), and wished to know what his indisposition was. He learned, he said, it was the gout; and if a flying gout, he observed, the motion may fly from day to day, and ever be kept off. In such circumstances, he said, summoning the House was all a farce.

It was agreed by their Lordships, that the subject should stand for Friday se'nnight.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, April 30.

ELECTION COMMITTEE BILL.

Mr. T. Grenville said, that such a spirit had discovered itself in the House with respect to enforcing the attendance on Election Committees, that he conceived that the standing orders would be fully sufficient for the purpose, and consequently that the regulations, which he had proposed by a new Bill, would no longer be necessary. He therefore moved to withdraw the Bill.—Granted.

CAPTAIN FAULKNER.

General Smith moved, "That an humble Address be presented to his Majesty, praying that his Majesty would be graciously pleased to direct that the monument to the memory of Captain Faulkner should be erected in the cathedral church of St. Paul, London, instead of the collegiate church of St. Peter, Westminster."—Agreed to *nem. con.*

NUMBER OF TROOPS IN GREAT BRITAIN.

General Macleod moved for a return of the number of troops in Great Britain. He anticipated one objection to his motion, namely, that such a return would have the effect to give information to the enemy. But he was assured, that the enemy were already in possession of more accurate information on the subject, than even the Members of that House.

The Secretary at War said, that the Hon. Gentleman had certainly anticipated the objection which he meant to have made. Such a motion as he had now proposed, was by no means common in time of war.

Colonel Maitland said, that he supposed the object of his Hon. Friend in bringing forward the motion, was to apprise the people of Great Britain of the extent of the burden which they had to bear. He hoped, however, that he would withdraw it for the present, in order to bring it forward in a more confined shape.

General Macleod said, that as he had moved only for a return of the number of the troops, and not for any information with respect either to their station or the manner in which they were to be employed, he had hoped there would have been no objection to his motion.

The Secretary at War still persisted in his objections.

Mr. Fox said, that the motion was highly proper, both in a political and economical point of view. He adduced several instances in the American war, in which such motions had been made, and had always been granted.

The motion was negatived.

INNKEEPERS.

The House having resolved itself into a Committee of the whole House upon the Bill for the relief of Innkeepers;

The Secretary at War said, that in reality he did not see why originally innkeepers should have been the objects on whom soldiers ought to be billeted more than other people; but as things were so settled, and the charges of innholders made on their guests were proportioned to the burden they were made to bear before the war, he thought that what happened before the

the

the commencement of hostilities ought not to be taken into consideration.

The grievances they had to complain of were when troops were stationed in quarters, by which they allege they lose each day three-pence per man; another loss also arose to them from the horses; and a third from troops on march, at which time they are obliged to furnish them with provisions at the rate of sixpence for each dragoon, and sixpence for the horse, and four-pence for every foot soldier—However, as many barracks had been lately erected, it was a great set-off to their losses, which was a matter worthy the observation of the Committee. He would therefore propose, after forming a just estimate of what they might probably lose, where they stated their loss to be one shilling, to allow them sixpence; where ten-pence, to allow them five-pence; and where three-pence, to allow them two-pence.

There was also a matter which he wished to correct, namely, the privilege of recruits remaining in free quarters seven days after their being enlisted. It had been often the case that recruiting parties had shifted their quarters, and availed themselves, to the great detriment of the innholders, of this privilege. He would therefore propose, that a smaller number of days or free quarters should be allowed them.

Mr. Plomer objected to that clause which limited the duration of the Act to the end of the war; he thought that from the marching and counter-marching of troops after the war, it should continue at least a year longer, as many inconveniences must arise to innholders from this circumstance.

A long and desultory conversation then ensued between *Mr. Hussey*, *Mr. Baker*, and the *Secretary at War*, on one of the clauses of the Bill, when

Captain Berkeley proposed the introduction of two clauses, the first purporting an exemption of the benefits arising from the Bill to such innkeepers as might increase the price of posting; and the second, investing magistrates with a power, in case of an increase in the price of hay, oats, &c. of imposing an adequate price on posting.

A long conversation then ensued on this clause, in which *Mr. Baker*, *Mr. Plomer*, *Mr. Hussey*, *Captain Berkeley*, *General Smith*, and *Mr. Buxton* took a part; after which *Captain Berkeley* agreed to withdraw the clauses, promising at the same time to introduce a Bill founded on the same.

The House being resumed, the report of the Committee was ordered for to-morrow.

RECAL OF THE LORD LIEUTENANT OF IRELAND.

Mr. Jekyll gave notice, that from unforeseen circumstances, he could not with propriety submit his motion which stood for that day, respecting the recal of Earl Fitzwilliam from the Viceroyship of Ireland. He would, with the leave of the House, defer it to Tuesday se'nnight.

The second reading of the Dead Body Bill was deferred to Wednesday.

The commitment of the Dutch Property Bill, and the third reading of the Insurance Bill, were deferred to next day.

Adjourned.

HOUSE OF LORDS.

FRIDAY, May 1.

Lord Grenville moved the Order of the Day, which was to take his Majesty's Message on the affairs of the Prince of Wales into consideration.

The Message being read,

Lord Grenville, in conformity to the notice he had given, rose for the purpose of moving an address to his Majesty. He reminded their Lordships of what he had said the preceding day, and declared he did not intend to enter into any detail on the present occasion, because that should be left to a future opportunity. It was not proper, in his opinion, for their Lordships to come to any specific resolution that might bind or pledge either the House or any one Noble Lord, for various reasons, one of which was obvious—he meant the practice of Parliament, by which it was understood that all legislative measures relating to public expences, should originate in the other House of Parliament. He hoped that what he had to propose would meet with the unanimous concurrence of the House; it was nothing more than an address in answer to his Majesty's most gracious Message in general terms, assuring his Majesty of what he was persuaded the breasts of all their Lordships felt, great respect for his Majesty and the Royal Family, and a wish that they should have a provision suitable to their dignity. What measures should be taken to relieve his Royal Highness from his embarrassment, to prevent his being subjected to any such hereafter, or even what should be his establishment, were points for future consideration. He should, for the present, only move that an address be presented to his Majesty; the substance of which was to return his Majesty their Lordships thanks for his gracious communication: To assure his Majesty

Majesty of the interest their Lordships had in the happiness of his Majesty, and every branch of his illustrious family: That their Lordships will take the subject of his Majesty's gracious communication into their most serious consideration, and that they will be ready to concur in such measures as may be, under all the circumstances, thought necessary for making a provision for his Royal Highness the Prince of Wales, &c.

The Address being read, and the question put,

The Earl of Guildford said, he did not mean to oppose this Address. The Noble Secretary of State had so worded it, that it appeared to him to be perfectly unexceptionable, as it did not pledge Noble Lords to any measure whatever. The Noble Secretary of State had very properly kept out of the Address all those topics which might, perhaps, have prevented that unanimity which was so desirable on the occasion, and he hoped there would be but one sentiment upon it. He rose, however, even in that stage of the proceeding, to make an observation relative to the latter part of the Message, and say a few words upon it; his observation might perhaps be thought more fit to be made on a future day, when the subject should come more properly before them, but he thought it right to mention it. He had heard in many places of one idea of adjusting the object of his Majesty's Message, which he was persuaded would be far from rendering it palatable, and he wished it to be made as palatable as possible. What he alluded to was an idea of exonerating the civil list, and throwing the burden on the people. Such a measure was unwise in itself, and was extremely painful even to be heard suggested. He hoped, whatever the plan adopted might be, care would be taken to leave the Prince of Wales perfectly free and unembarrassed. A proper provision was due to his high rank and exalted station; an income, which on account of the peculiar dearth of provisions and all the necessaries of life, ought far to exceed that allowed to any former Prince of Wales. The Public were bound to make that provision for the Prince, not only as he was the heir apparent to the Throne, but on account of the amiable Princess who had been invited to this country; an invitation in which both Houses of Parliament by their addresses might be said to have concurred. With respect to the income of his Royal Highness, and the mode by which he was to be enabled to discharge his incumbrances, it did not appear to him to be very material whether they were to be discharged by a direct specific impost upon the Public, or out of any share of the income to be settled on his Royal Highness. His Royal Highness should at all events be placed in a situation, that would render any further application of this nature, to

Parlia-

Parliament, on his part, unnecessary, by there not being the smallest possibility for him to find himself again involved in the same difficulty. If they did not do that, the two Houses would do nothing, at least nothing to any purpose. He hoped also, that due regard should be had to the latter part of his Majesty's Message, and that some legislative provision should be made, which would render it impossible for any future Prince of Wales to suppose he had an unlimited credit on the public purse. Having suggested this, he was happy to say he concurred entirely in the present Address.

Lord Grenville felt great pleasure in hearing what had been expressed by the Noble Earl. He entirely coincided with him in opinion upon all the topics he had mentioned, most especially in the necessity and propriety of freeing the Prince from his difficulties altogether. Whatever the measure proposed might be, considered as a measure of finance, it ought to be framed to that end; and he could assure the Noble Earl and the House, that when the matter came to be discussed, it would be found that in every measure in which he at least had any share relating to it, the utmost caution would be used to prevent any of those inconveniences which the Noble Earl had alluded to. He assured their Lordships that he had no other reason for not entering more fully into the subject, than that this did not appear to him to be a fit season for that purpose.

The Address was then agreed to *nem. diff.*

Adjourned.

HOUSE OF COMMONS.

FRIDAY, May 1.

Proceeded on the private Bills before the House.

The report of the Eau Brink Drainage Bill was brought up. On the question that the Amendments be read a second time, the House divided:

<i>Ayes</i>	-	-	38
<i>Noes</i>	-	-	10
<i>Majority</i>			28

A division also took place on the question that the Bill be re-committed, after which the doors were shut, and strangers excluded.

Adjourned to Monday.

HOUSE

HOUSE OF COMMONS.

MONDAY, May 4.

The Bill for granting Stamp Duties on Sea Insurances was read a third time, and passed.

WEST-INDIA ISLANDS.

Mr. Lushington presented a petition from the West India merchants, requesting a disavowal of the proclamations of Sir Charles Grey and Sir John Jervis. The petition stated, that they had presented different memorials to ministers on the subject, and had lately received for answer, that, as the property confiscated by these proclamations, was ordered to be restored, no further measures were necessary; but in consideration of the unpleasant state of warfare in which the islands were involved, they trusted that the House would take such measures as to their wisdom might seem meet, in order to come to a formal disavowal of proclamations, which had been found to be so mischievous in their effects. The petition was read, and ordered to lie upon the table.

AUSTRIAN LOAN.

Mr. Fox moved, that an humble address be presented to his Majesty, that his Majesty be graciously pleased to give directions that there be laid before the House, an account of the different sums of money paid to the Emperor, or to his commanders, for the service of the Imperial forces, with the different dates at which such sums were advanced.—Ordered.

SIR CHARLES GREY AND SIR JOHN JERVIS.

Mr. Barham said, that he was deeply impressed with the importance of the subject which he was to bring forward, and at the same time sensible of the weakness of the hand into which it had fallen.—He rose, therefore, not without anxiety on the present occasion, but, conceiving the object which he had in view to be no less simple than it was important, he trusted that the strength of the cause would counterbalance the weakness of the advocate. He did not bring forward a motion calculated to lead to inquiry, without having such grounds as appeared to him fully sufficient to warrant investigation. He would first take notice of the time which he had chosen for the purpose, in answer to the question put to him upon a former occasion, Why he had so long delayed bringing forward imputations against the conduct of the commanders who had been employed in the West Indies? It was

not his intention to throw out any imputation against the conduct of those commanders. He certainly moved for papers with a view to ulterior proceedings. But without the production of those papers nothing could be done. Perhaps from the result of their contents it might appear that there was not even the smallest ground for imputation. When he introduced the subject on a former evening, he stated that he then proceeded on the ground of public report; it was notorious, that it was a subject on which meetings had been convened, and memorials presented. Such being the case, the motion which he had to propose, was, in either point of view, proper. Whether the imputations which had been thrown out were well or ill founded, the effect of his motion would be in the one case to shew the innocence of the parties unjustly accused, and in the other to induce the House to take such steps as to their wisdom might seem meet. He was rather surprised that the intimation he had formerly given had been received with some degree of asperity by Gentlemen interested in the issue of the question. The asperity had been hastily shewn, and he assured them would by him be readily forgotten. So far from shewing any asperity on his part, he was desirous to adopt that mode of proceeding which might be deemed most respectful to the Gentlemen concerned in the business. If the result of the investigation should be, that no transaction had taken place inconsistent with their fair fame, or derogatory to the laurels which they had so honourably acquired, nobody would rejoice more than he would. But reluctant as he might feel to undertake any thing that appeared like a personal attack, the present proceeding seemed to him necessary, both in order to rescue their character, and to vindicate the honour of the country. He should move for certain papers relative to the conduct that had been observed towards the French West India islands, which had submitted themselves to the British arms. The papers for which he should move came under the following descriptions: Copies of the Proclamations issued by Sir Charles Grey and Sir John Jervis during their command in the West Indies; Copies of the Memorials to Officers, containing Instructions relative to their conduct; Copies of the Memorials sent home to Ministers, respecting the transactions in the French West India Islands, with their Answers; Copies of the Answers of the Lawyers to whom those Memorials were referred.

Mr. Barham proceeded to state the grounds on which he moved for these papers; 1st, because they might be granted without danger or inconvenience; 2dly, with a view to further pro-

proceedings. The subject of investigation to which these papers related, was itself of the greatest importance; it was not merely founded on idle conjecture; complaints had been received both from those who were the sufferers, and those who were the victims of retaliation, in consequence of the proceedings said to have taken place in the West Indies. There had been laid upon the table that day, by one of the Members for the city of London, a petition from the planters and merchants in those islands, praying for a public disavowal of these proclamations—it was therefore the duty of that House to have them produced. If the voice of the colonies could be disregarded, we ought never to be deaf to the voice of our enemies; they directly and clamorously charged us with a breach of the laws of nations, and of war. It was a subject, which involved the fame, the honour, and the humanity of Great Britain. The charge made was no less than that the conduct of the British troops had given rise to a new sort of war in those islands. It was of consequence to ask, Whether the solitary successes which had relieved the uninterrupted disasters of last campaign, had brought along with them more disgrace than advantage to the country. In consequence of the system pursued, we were told, that we had already lost one island, bought with the expence of blood, and maintained at the expence of character; and the others, if not already gone, were at least greatly endangered. If such was the importance of the subject, it would remain with the House to decide, whether it ought to be allowed to pass without further consideration. There was only one point more on which he should touch. At a time that the war seemed more to be carried on from feelings of animosity, than inducements of interest, we should by such an investigation shew to the enemy our moderation and humanity, and that we thought ourselves bound to persevere in the contest only from the operation of necessity, but that it was on our part a war of justice, and not of plunder. He concluded with making his first motion for copies of the Proclamations, &c.

Mr. Manning rose to second the motion. In order to shew that no charge of delay attached to them in bringing forward the subject, he mentioned that he was one of the Committee of West India merchants; that they had presented one Memorial on the 28th of August 1794, and a second in the month of February 1795, and had received no answer from ministers till within these four days. The proclamation issued by the commanders led to a system of general confiscation. Measures had indeed been taken to restore the property, but these had been conveyed in a private and confidential way. The

persons concerned were not satisfied with this mode of proceeding: They asked why a direct and open disavowal of the original system was not adopted, in order that it might be conveyed to foreign nations. At present the obnoxious proceedings were still considered as public acts, and the object of the proposed investigation was to obtain a clear and distinct disavowal of them on the part of this country. Mr. Manning here referred to the Proclamation of the Commanders on the 10th of May 1794. He quoted the King's Proclamation of the 1st of January, which promised to those islands which should submit themselves personal security, and security for their property. How well the latter promise had been kept, would appear from the proceedings that had actually taken place. He said, he had, last year, concurred in the vote of thanks to Sir Charles Grey and Sir John Jervis, for their naval and military conduct; in the capacity of Commanders, he highly approved of their gallantry and exertions. Their subsequent conduct, however, appeared to him to call for inquiry. In that conduct, something might be traced like a justification of the late Proclamation of the French Commander, and probably the new sort of war carried on in the islands, was only a retaliation of the proceedings which had first taken place under British auspices. If we looked to Condé and Valenciennes, nothing like confiscation or contribution had been adopted, with regard to the inhabitants of those places. Nothing of that sort had taken place in Tobago. The Proclamation, with respect to its local operation, had indeed been annulled by the measures taken to restore the confiscated property; but with respect to the character of this country, it could only be annulled by a public disavowal.

Mr. Secretary Dundas said, that he could have wished to have previously heard something from an Hon. Member, who, it could not but be supposed, was most deeply interested in the present subject. Imputations had certainly gone forth, inconsistent with the honour which through life had guided those gallant persons upon whom they had been cast; but if an inquiry had not already taken place, it was at least no fault of the Commanders interested, who had testified the greatest anxiety to vindicate their character from the various imputations that had gone abroad, impeaching the purity of their conduct. It was impossible for him to concur in any thing that might seem to imply censure of Sir Charles Grey and Sir John Jervis, while he remembered for how many pleasant hours he was indebted to the dispatches conveying accounts of the numerous trophies which they had so gallantly acquired in the service of their country. At the same time he was aware, that

if he should attempt to negative the present motion, he might seem desirous to cover what he was not able to defend. If there were in the Proclamations some inaccuracies of expression, from which improper constructions might be drawn, it was at the same time to be remembered, that some of the strongest charges, which had in the first instance been brought against the conduct of the Commanders, had afterwards turned out not to be true. The first Proclamation of his Majesty, which had been referred to, was addressed to the islands, on the idea that they would make no resistance; Martinique, however, had been disputed, every inch of ground; it had not surrendered, but was captured, and it was evident that the troops had a just claim to every advantage which they acquired by the right of conquest. Mr. Dundas stated, that though, in justice to the Public, to the gallant officers, and to the respectable persons whose petition had that day been presented, he should not refuse copies of the papers which had been moved, there were various objections which he should have afterwards to urge to going into an inquiry to any extent. Those were—the immediate call upon officers for the public service, whose testimony might be desired by the Commanders whose conduct was called in question; the advanced period of the session, which would necessarily occasion the absence of many respectable Members; and the impropriety of taking up in that House, the discussion of the claims of individuals with respect to West India property, which were at present in a train of decision before the proper Courts. One of the evils as stated to flow from the conduct of those Commanders, was the loss of Guadaloupe, &c. Surely no man could be so irrational as to suppose this. Because the French had landed large reinforcements from Europe, did that flow from their Proclamations? Because privateers had landed men on the island of Grenada, and the Caribbs had joined them in plundering and devastating the country; could that be attributed to their measures? Nothing so absurd. He had flattered himself, that the letter which had been written to a Noble Duke, in answer to the Memorials, would have satisfied Gentlemen, that there was no necessity for such a measure as the present. In these Memorials the merchants certainly called for a public disavowal of the Proclamations issued by Sir Charles Grey and Sir John Jervis; but whatever tended to a disavowal, tended also to a censure on the conduct of the two Commanders, and to any such censure he should have had a decided objection. He should have thought it sufficient that the Proclamations had not been acted upon, and that affairs had returned to the same situation on which they were previously to such Proclamations. In justification of the Noble Duke, he begged

begged leave to read the answer that had been returned to the Memorials that had been presented to him :—

“ In answer to certain Memorials on the subject of the two Proclamations issued by Sir Charles Grey and Sir John Jervis, I beg leave to assure you, that as soon as Government were informed of the nature of those Proclamations, they sent directions to the West Indies, which were so clearly understood, that the money that had been levied was immediately restored, and the Proclamations cannot but be considered as annulled.”

He objected to any disavowal implying censure of a proclamation, which either had not been acted upon, or its effects done away. So far from the complaints which had been talked of, the General Assembly of Martinique had lately voted to Sir Charles Grey a service of plate, and a sword, as an expression of their satisfaction and gratitude for his conduct.

Mr. Fox declared himself to be a friend to inquiries, but said, he always wished some ground to be laid for them. The Hon. Mover had laid no ground for going into any inquiry. What had been stated by the Hon. Gentleman who seconded him, consisted partly of matter of opinion and partly of fact. The opinion upon which he seemed to proceed was, that plunder ought not to be carried to the extent to which at present it was exercised by the right of conquest. In this opinion he might agree with him; but at present they were not sitting in an assembly of delegates to new-model the law of nations; they must look to what had been the uniform practice of victorious troops. An Hon. Gentleman had referred to what had passed at Valenciennes; the case was entirely different; Valenciennes capitulated; Martinique was taken, as it were, by storm. In order to lay a ground of charge against the Commanders, it would be necessary to shew that the accounts given in the Gazette of their conquests were only misrepresentations to justify the severity of their subsequent treatment of the islands. He ridiculed the idea of the conduct of the British having given rise to a system of retaliation on the part of the French, and of a French General brought up in that school of justice and humanity, the African trade, having modelled his violent declaration from the proclamations of our Commanders. He was astonished to hear that Guadaloupe had been lost by any proceedings of Sir Charles Grey or Sir John Jervis; he had considered it as having been lost in consequence of the arrival of French reinforcements, the insurrection of the negroes, and the return of persons who had been sent away for their disaffection to the British government. The gallant Commanders whom he had just

just mentioned felt themselves highly aggrieved by the charges brought against them, and he, leaning to their side, would certainly vote for an inquiry. What he, however, should desire, would be a full and fair inquiry, in the confidence, not only from the high military fame, but from the reputation of untainted integrity which these gentlemen had maintained through life, that in the result of such an inquiry their hands would be found to be as clean as their exertions had been spirited.

The Chancellor of the Exchequer remarked, that the present was simply a motion for the production of papers, and not a motion of inquiry. He objected therefore to all discussion, as premature in the present stage of the business. The result of the production of the papers must be either to ascertain the extent of blame, or completely to do away the imputation, or else to leave such degree of doubt as might or might not appear a sufficient ground of inquiry. He should not pledge himself to any side of the question. It seemed to be the general sense to grant the papers, which indeed could be attended with no public inconvenience; as to all details of facts, and discussions of principles, he should entirely reserve himself for a future occasion.

Colonel Maitland was of opinion, that those Gentlemen who came forward upon this occasion ought to have taken pains to ascertain some facts, upon which to found afterwards an inquiry, and to shew that there was reason for inquiry before they proceeded to call for any papers: Such the House in general expected upon motions for the production of papers; but, instead of this, they called for the papers, and left the matter to be disposed of afterwards, according as they might be able to fish for information out of the papers so produced. He had no objection to the inquiry, and he hoped they had none; but he must also express a hope, that these Gentlemen would follow these motions for papers with others of some importance, which would afford to Sir Charles Grey and Sir John Jervis an opportunity of laying all the circumstances of their conduct in the West Indies before the House. When these circumstances were brought fairly forward, he had no doubt but that the conduct of these gallant officers would reflect on them the highest honour. This would refute all the calumny that had been so industriously circulated against them. He hoped, that Gentlemen who seemed so desirous at present of entering into the discussion of this subject would keep nothing back, but come forward fairly and candidly. It had been industriously reported that the British army attacked defenceless towns, only with a view

to plunder; but he put it to the hearts of the House, whether it was possible that such men as Generals Campbell and Dundas were capable of such mean and detestable baseness? He also noticed, under different heads, the other reports that had been circulated to the prejudice of Sir Charles Grey and Sir John Jervis, and explained the points that had been erroneously stated, on each of which he argued at some length, and came to conclusions highly favourable to these Gentlemen. As they took possession of the different places mentioned by force of arms, and by storm, as had been truly stated by the Secretary of State, all the property, he said, became forfeited, and all the inhabitants were subject, by the law of nations, to a military execution. This doctrine he maintained to be consistent not only with the spirit of the law of nations, but also with the practice of war in the most modern, as well as ancient times; and viewing the subject in that light, they were, in his opinion, highly meritorious. The circumstances of these places being taken by assault, did away all the objections which had been taken against the principle of the proclamation which had been so much complained of. These objections were built upon the idea that the parties on whom contribution had been levied had surrendered to the British arms, for so some of the memorials stated; but it was ridiculous to talk of the surrender of the inhabitants of a place which had been taken by storm. All that he had heard, and all that he knew upon this subject, led him, as a friend to Sir Charles Grey and Sir John Jervis, to wish for this inquiry, because he was sure that the more their conduct was examined, the more it would appear to their honour; but he could not help expressing some regret that persons who had merited so much honour, who had so deservedly received the thanks of the House for their conduct, who had been so victorious, should not yet have received some mark of his Majesty's approbation, especially as others, who no doubt had acted bravely, but had not been equally successful, had received Royal favour. He concluded with saying, that as this business had been brought forward in this manner, he hoped the House would not be content with having a few papers on its table, but that a fair and full investigation of the whole matter would be entered into.

Sir William Young wished also for this inquiry. He expressed great apprehensions of the state of property in the West India islands, in consequence of the principles contained in the Proclamation of Sir Charles Grey and Sir John Jervis. He said, he had letters from thence, expressive of great terror on that account, and he wished the principle inculcated

culcated by that Proclamation to be done away, by the determination of the House.

Mr. Grey said, that many circumstances had induced him to speak in this debate, at as late a period as he possibly could. He wished to have heard fully stated all the objections and all the articles of accusation brought forward on this occasion, against the two officers whose conduct had now become the object of discussion. He was anxious to learn what part would be taken on this occasion by his Majesty's ministers, for they had long been in possession of every proceeding that related to the subject. He must say, he felt himself under a considerable degree of embarrassment, in consequence of some part of the conduct of ministers, and of the explanation given on their behalf. He agreed however in this, that the question, in its present shape, was not adapted for minute detail. He owned, that this proceeding appeared to him in some respects singular. It had been usual, when inquiries were talked of, to lay some grounds for entering into them; to state some charge that was to be made out; to state that the papers called for would tend to make out that charge, and that witnesses might be examined to prove it. In the present instance the reverse was the case. Hon. Gentlemen, with a vague censure and indiscriminate rumour, seemed to assert they had some idea that if these papers were produced, some inquiry might in the event be necessary. This mode of proceeding distressed him considerably. There was no specific charge exhibited, but something by way of implication. Did he know that this was to be followed up, he might remain silent for the present. But as he did not know the case would so turn out, he could not be sure that he should have another opportunity of saying any thing. If, after these papers came to be laid upon the table, no inquiry should be moved for, the business must end. He had some idea that this might be the case, from what he heard that night from his Majesty's ministers, one of whom had given the House to understand that he was not pledged to any thing upon this subject. If, therefore, no further proceeding should be had than merely laying these papers before the House, he should be deprived of an opportunity of giving any explanation upon the matter.

The Secretary of State had entered his caveat against pledging himself to any inquiry, because it might be very inconvenient to the service to call for the testimony of officers who might be called abroad; and indeed, that, to a certain degree, was true, for he knew many whose evidence would be essential if this inquiry were to be entered into.

But was that his fault, or was it the fault of the Commanders in the West Indies?—Certainly not. If there was to be an inquiry, would it not be an hardship on these Commanders to be deprived of the advantage of the testimony of these officers, whose evidence was so essential? He should have imagined that if Gentlemen had the feeling they ought to have for the character of officers who had been fifty years in the service, and whose honour was hitherto without a stain, they would not have been so forward in making charges, as it were, by implication. A memorial was presented by Mr. Thelluson against the conduct of these officers in the West Indies. Who that Mr. Thelluson was, he did not know, but his memorial breathed nothing but direct and positive falsehood: This he was ready to prove at the bar of that House, if the inquiry was instituted. He should prove also every thing that was necessary to justify Sir Charles Grey and Sir John Jervis in their conduct in the West Indies—that they had merited and received the thanks of the inhabitants for what they did. He entered into a detailed account of the manner in which the captured islands in the West Indies had been treated by Sir Charles Grey and Sir John Jervis—that they were taken, as the Secretary of State himself had stated, by force of arms; and that therefore, by the law of nations, they were liable to be put under contribution as they had been. And further, that it was the duty of these Commanders to act as they had done; that they were bound to do so by the rules of war, for his Majesty and his forces. The very Proclamation which had been complained of so much, was not even acted upon. They gave up the idea of enforcing it even before orders came to that effect from home, under the hand of the Duke of Portland, as Secretary of State.

As to what was stated in letters from the West Indies, with respect to the danger of the islands, it could not be attributed justly to the Proclamation, but to the opinion of the inhabitants, that they were not sufficiently protected from external attack, or internal commotions. Nothing detailed in those letters ought to have much attention paid to them; he, however, should wish them to inquire into the whole, although he risked not his own honour, but the honour of those who were dearer to him, of those who had every claim upon his gratitude and feelings. Though there were no proofs of the violence and plunder which had been attributed to those Commanders, there were sufficient proofs of the contrary; not only the inhabitants shewed every testimony of regret on their leaving the country, but since their return, letters from

all

all quarters had been received replete with testimonies of gratitude for their mild administration and good conduct during their residence on the islands.

Mr. Grey read a letter from a Gentleman, who had been left in an official situation in one of the captured islands, to Sir Charles Grey, immediately preceding his intended departure for England, in which he pays the highest compliments to the clemency, the integrity, the honour, and the humanity of the Commander in Chief of his Majesty's land forces, and attributes to him not only the conquest of the island, under the auspices of his valour, but the keeping it afterward, by means of his prudence and virtue, and those conciliatory measures which he had caused to be adopted. After reciting all the circumstances of these captures, and making many observations upon them, he said, he wished and he knew that Sir Charles Grey and Sir John Jervis wished, as much as any man in that House, that an inquiry should take place; but that it should be a full and fair inquiry, for which purpose a great number of living witnesses must be examined, and many points of evidence would be necessary, which he did not see how officially they could be laid before the House.

Mr. Thelluson affirmed upon the authority of a near relation in the town of St. Peter's, that a deputation had been sent to General Dundas, who promised them inviolability, and that in consequence at twelve o'clock at night, no gun was fired, nor was the Proclamation acted upon. Yet notwithstanding, this relation had an hundred hogheads of sugar afterwards confiscated.

Mr. Lushington said, he would not have risen if it had not been insinuated that the whole proceedings against the Gentlemen in question were incited by calumny. He denied that there was any calumny intended to be cast on the Commanders in the West Indies, by the conduct of the West India planters, or by the proceedings which they instituted upon that subject. He stated what had passed at the meeting of merchants where he attended, and he wished that their opinions might be confirmed by his Majesty's Advocate General, and the law officers of the Crown, who had, he understood, delivered their sentiments in private, and then a full opportunity might be given for explanation. The object of the West India merchants was, to support the character of the British nation against the dangerous principle contained in the Proclamation of Sir Charles Grey and Sir John Jervis. The planters and West India merchants knew that the prosperity of this country depended upon its commerce; that without a due regard to the protection of private property, commerce would be at

an end; that if private property was not to be considered as sacred, the very basis of our constitution would be destroyed. The Proclamation of Sir Charles Grey and Sir John Jervis contained a principle that annihilated all our maxims upon that subject, and consequently was calculated to bring this country to ruin. It became therefore highly necessary, that such a principle should be disavowed, in order that foreign nations should know that Great Britain will not depart from the principles of justice in her conquests; that no barbarous comments on the law of nations will make her forget her humanity, but, that her character shall be pure and honourable. He denied the right of war, as it had been stated by the Gentleman who defended the conduct of these Commanders, and he thought the circumstance of their not having themselves put their Proclamation in force, was something like a proof that they themselves did not think very highly of it. He had no desire for any reflection being thrown on these Gentlemen, nor was he at all surpris'd at the defence of Sir Charles Grey and Sir John Jervis, that had been made by the Hon. Gentleman who spoke last but one. All he wished was, that there should be a declaration of that House, that disavowed the principle of the Proclamation, and that taught all the world to know that in Great Britain private property is held sacred either in peace or war. Without such a principle, he was confident we should soon lose all our superiority over other nations.

Sir William Scott objected to the production of the papers, as well as the opinions of himself and his Majesty's law officers; because those opinions were merely hypothetical, and founded on *ex parte* evidence. He concurred with the Chancellor of the Exchequer, that it would be more proper to discuss these opinions when the papers were laid upon the table. At present he considered the question to be prematurely agitated; but when the papers were produced, he did not hesitate to pronounce, that all further proceedings in the business would be conducted with candour and with care. He subscribed to the declaration of the Hon. Gentleman that the character of the country is her great resource, but he reminded him also, that the character of the eminent persons in it forms a great part of it. Upon these reasons he could not join in the motion for the production of the papers.

Mr. Secretary Dundas doubted whether all the papers which had been alluded to were in existence.

Mr. Barham, in reply, protested that the copy of a Memorial presented to Sir Charles Grey in the West Indies, had been seen in some office, though in what office he could not say.

say. It was a paper containing many material allegations. As to the other papers he had moved for, he stated his authority from an answer of the Duke of Portland to a Memorial of the West India planters and merchants, which alleged, that no farther explanation could be given until the law officers had been consulted, and had made their report. This answer was delivered by his Grace to Lord Penrhyn, who presented the Memorial as Chairman of the Meeting.

Adverting to what had been urged by different Gentlemen in the course of the debate, he first noticed, that a Learned and Hon. Member had accused him of premature agitation when the question was brought coolly and deliberately forward, and another Hon. Gentleman had interpreted his object to be an intention of censure, which he most tenaciously disclaimed. He thought no complaint could with propriety be made of preliminary accusation, when they were indeterminately arguing upon papers they did not possess, nor could such a complaint be made, while they adverted to papers which they had not read. One opinion must be taken upon the view of the Proclamation, and another on the documents. They could not indeed pass without the notice of the House, if they were like the papers in his hands. He concluded by observing, that he merely moved for the copies of the Memorials themselves, and not for any further proceedings upon them.

Mr. Francis said, "Before the House comes to a decision on a question so important in itself, and so particularly important as it is personal to men, to whom we owe not only justice to their merits, but caution and delicacy in every thing that touches their reputation, I wish to state my own embarrassment, and to request the House to look forward and consider the difficult situation, in which they may find themselves, if that should happen, which is very likely to happen, in a subsequent stage of the present proceeding; that is, if the motion should be carried, and if the Right Hon. the Secretary of State should adhere to the declaration he has made this night. He has fairly told us that, in yielding to the present motion for papers, he does not hold himself engaged to stir another step in the business; that the parties are not to expect him to concur in any proposition for an inquiry into the transactions to which these papers relate; that such inquiry might go to a length incompatible with the actual state of the session, and could not be carried on at all without the personal attendance of many officers, who were actually employed or appointed on foreign service of the utmost importance to the Public, from which they could not be spared.
Now,

Now, Sir, if, when these papers are before us, these objections to any farther proceeding should be urged by that Right Hon. Gentleman, and urged with success, as I suspect they will be, from his great weight and authority with the House, let us consider in what situation we shall then leave the character and honour of Sir Charles Grey and Sir John Jervis. On that subject, Gentlemen here speak with great mildness and delicacy; but what in fact will be the impression abroad, if a motion for papers, in which the conduct of these Gentlemen is so materially concerned, should be agreed to? No man will deny that it is of itself an imputation; that it creates or supposes some doubt at least, which, to men of their character, must be equivalent to an accusation, and that it is, or ought to be, a subject of inquiry. But, when you have admitted the imputation, will you refuse the inquiry? Sir, for my own part, I do not think that sufficient ground, or any ground, has been established for acceding to the motion;—but if I thought otherwise, I never would agree to it without holding myself at the same time bound, in justice and honour to the parties, to give them every possible means and opportunity to clear and vindicate their character from the effects of that imputation. It is not a light or indifferent matter for this House to accede to such a motion. It is not a thing to be taken up or abandoned without solid reasons, and serious consideration; and I own I should have thought that his Majesty's Secretary of State would have acted with more justice, prudence, and consistency, if he had given a negative to the motion, as I shall do, rather than have consented to it, as he has done, with an express caveat against any further proceeding. He consents to a leading step, but he will consent to no other. If the House should follow him in that conduct, the result will be, that possibly a most unjust imputation may be admitted, while the means of refuting it are denied. I am, therefore, against the motion."

Mr. Grey explained. He complained of the hardship attending the discussion of a question of this nature so late in the session, when officers are upon the point of sailing, whose oral testimony is so very requisite. The evidence of General Myers, he observed, as one person in particular, was indispensable; and yet General Myers was about to quit the kingdom, nor would he stop without an express order from the Duke of York or General Dundas.

Referring to the General's letter, it stated, that he would most readily make his affidavit in the vindication of the Commanders conduct; but this, *Mr. Grey* contended, could never be so efficient or so full as a personal allegation and inter-
rogatories

rogatories by counsel. He referred also to some exculpatory letters of Colonel Prescott and General Dundas; and so far he assured the House was the conduct of Sir Charles Grey and Sir John Jervis from being without a precedent, as it had been pretended, that it was directly the reverse; for when the French made a conquest last war, of the island of Grenada, the property was all confiscated, and a file of musqueteers were sent on shore to annul all debts on English mortgages or to English merchants, although he acknowledged that upon the remonstrances of Mr. Pigot and Mr. Scott, who were dispatched to the French court for that purpose, some remissions were made.

Mr. Lushington in explanation asserted that what had been called an act of confiscation in the island of Grenada was nothing more than an act of sequestration from all the absentees. Some misconduct, he confessed, was used in the enforcement of this act, but satisfaction was soon given. He did not dispute, without the authority of Generals and Majors, but what the victors in such a case of conquest had such a right to the application of the property; for the Memorials of the planters and the merchants had not disputed it; but it was thought that in Martinique and Guadaloupe the rights of war had been extended with too much rigour.

Sir William Young explained.

Mr. St. Andrew St. John confirmed what *Mr. Grey* had said.

Mr. Jekyll was sorry to differ from his Hon. Friend (*Mr. Francis*), as to the imputation which would fall on Sir Charles Grey and Sir John Jervis, if the papers moved for should be laid on the table, and the inquiry refused. Instead of any imputation on them, it would be a proof, that after the papers were inspected the House were satisfied with their conduct. In regard to the expediency of inquiry, he could not but consider the House as a tribunal which would enforce the attendance of every necessary witness; and as to the absence of the troops, when it was said they were going to action, he believed it to be nothing more than that they were going to be put in motion.

He supposed no person was disposed to contravene the rights of war, which have been insisted on by every writer on the laws of nations, from Puffendorff down to Vattel. Although his Majesty's advocate had pronounced on partial facts, none such would be produced before a tribunal competent to inquiry; and therefore he concluded the House would coincide in his caveat to Sir William Scott's argument.

With regard to the charge of calumny, he said, he was not disposed to calumniate, nor was it in fact calumny, but accusation. What the intent of the investigation was, was not the question now before the House; and, however soon or late the sessions might close, he did not doubt but upon such a case as this, they might insure a full attendance.

The question on the first motion for a copy of the declaration of Sir Charles Grey and Sir John Jervis, was then put and carried.

The next was for a copy of such memorial or other papers as had been presented to them, or either of them, relative to the conduct of Government, after certain islands in the West Indies became subject to the British arms; which, after a few words from Mr. Secretary Dundas and Mr. Grey, was ordered.

A copy of such memorial as had been presented to ministers on the same subject, together with the answer given by them to that memorial.—Ordered.

Copy of the reports of the law officers of the Crown upon the memorials, &c.

Sir W. Scott said a few words.

Mr. Fox opposed this on the grounds that the opinions of the law officers were not to bias the opinion of the House.

The Attorney General agreed with *Mr. Fox*, and the motion was withdrawn.

Mr. Grey, after reading a letter in which the conduct of Sir Charles Grey and Sir John Jervis was highly complimented, and making a few observations on the necessity of the House having the fullest information on this subject, moved for a copy of the memorial presented to the Duke of Portland, in answer to the memorial of the West India planters and others, on the conduct of Sir Charles Grey and Sir John Jervis.—Ordered.

Copy of the separate instructions, transmitted to Sir Charles Grey and Sir John Jervis, relative to a booty allowed to be taken for his Majesty's army and navy, at St. Lucie and Guadaloupe, &c.—Ordered.

Copy of a letter from *Mr. Dundas*, of the 7th of March 1794, relative to a plan proposed by Sir Charles Grey, &c.—Ordered.

Copy of all proclamations issued in Martinique by General Prescott, General Dundas, and Colonel Myers, &c.—Ordered.

The Secretary at War brought up the report of the *Innkeepers Relief Bill*, which was read, agreed to, and the Bill ordered to be read a third time the next day, if then engrossed.—Adjourned.

HOUSE

HOUSE OF LORDS.

TUESDAY, May 5.

The royal assent was given by commission to the Bill for an additional duty on Receipts; to the Bill for regulating Franking, &c. and to several other Bills.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, May 5.

The Bill for augmenting the Royal Corps of Artillery, and for providing a number of seafaring men for the service of the Navy out of the Militia, was read a third time, and passed.

Colonel Maitland intimated an intention of moving for an account of the troops which have lately served on the Continent, and now returned to this country. But after a few words from the *Chancellor of the Exchequer* on the form of the motion, so as to meet the object which the Hon. Colonel had in view, he deferred it to a future day.

The House having resolved itself into a Committee of the whole House, to consider of amendments to the last Dutch Property Bill, came to several resolutions, which, on the suggestions of *General Smith* and *Mr. Taylor*, were ordered to be printed.

Mr. Porter deferred his motion, relative to subalterns in the infantry, to Friday.

The House in a Committee agreed to certain bounties to masters of ships, surgeons, and other persons concerned in carrying slaves from the Coast of Africa, in case the mortality on board such ships did not exceed a certain rate. The report was ordered to be received the next day.

The further consideration of the report of the Bill for preventing the removal of poor persons until they become actually chargeable, was deferred to Friday.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, May 6.

A message was received from the Lords, stating, that the royal assent had been given by commission, to twenty-one public and private Bills.

On the Order of the Day for reading a second time the Bill to prevent the stealing of dead bodies, &c. a motion was made

VOL. III.

T

that

that the House be counted, when only twenty-two Members being present, an adjournment of course took place.

HOUSE OF COMMONS.

THURSDAY, May 7.

The Eau Brink Drainage Bill was read a third time, and on the question for passing it,

Mr. Fiddrell proposed a clause, the operation of which was to indemnify those who had opposed the Bill for their expence.

A short conversation took place, and the House divided:

<i>For the Clause</i>	-	-	9
<i>Against it</i>	-	-	36

The other Orders of the Day being deferred, the House adjourned.

HOUSE OF LORDS.

FRIDAY, May 8.

The Earl of Lauderdale stated, that some papers had been lately laid upon their Lordships table, in pursuance of a motion which he made in February last, relative to fees in the departments of the Secretaries of State, to which the returns presented to their Lordships were defective at least one-third. He understood that there were three Secretaries of State; but by the accounts which he alluded to, it should seem as if there were only two that were offices of receipt: His countryman, *Mr. Dundas*, enjoyed one of them; and it was a hardship on him to hold so many offices, and to do so much public duty, if he was not paid for it. His Lordship pointed out the defectiveness of these accounts, and stated the necessity of amending them.

Lord Grenville admitted that *Mr. Dundas* had several offices, and said, it was evident that the Public derived great advantages from the services of that Right Hon. Gentleman. The reason why there was no account of fees in the three departments of Secretaries of State was, that no fees were taken at the office of Secretary of State for the War Department: Because, as his Right Hon. Friend held another office, he did not receive all the emoluments of a Secretary of State.

Lord Lauderdale contended, that these accounts ought to be more specific. With regard to the services of *Mr. Dundas*, he was of opinion that what he received from the national purse

purse was equal to the value of any services which any individual could render the Public. He had nothing to move on this subject at present; but as he saw the House was remarkably full, although he was aware that it was somewhat irregular, he would take the opportunity of giving notice, that on Wednesday, the 27th of this month, he should have a measure to bring forward relative to the power of the present rulers of France to hold the accustomed relations of amity and peace with other nations. He would not then state the words in which he should convey his motion, nor would he say whether it should come in the form of an address to his Majesty, or a resolution of that House; because he had learnt from past experience the advantage that was sometimes taken of those previous notices—for he remembered an old proverb, “A burnt child dreads the fire;” and therefore he would not again put himself within reach of the flame. He had seen the fairness with which candour, in stating the precise words of an intended motion, had been treated by his Majesty’s ministers. He had witnessed the manner in which they had canvassed for support out of that House too often, to afford them the same opportunity again. He wished, however, at present to state to their Lordships, that after the material change which had happened lately in the affairs of France, and after what had happened in the affairs of Europe at large; after many of the other powers, some of them once our own allies, had thought that the present Governors of France could hold the accustomed relations of amity and peace with other nations, it was not improper for us to come to the same conclusion. He would then only move, “That their Lordships be summoned to attend their duty in that House on Wednesday the 27th of this month.” The day was altered to the 28th, at the request of Lord Grenville—and the summons was of course ordered.

Lord Grenville then said, that whatever the motion of the Noble Earl might be, he should be perfectly prepared to oppose it, on the grounds which the Noble Earl had just stated.

EARL FITZWILLIAM'S RECAL.

The Order of the Day having been read, for their Lordships to be summoned,

The Duke of Norfolk rose, and said, he felt considerable embarrassment in attempting to execute the task which he had taken upon himself that day, in conformity to the notice that he had given; and from the magnitude of the subject, he wished it had been in abler hands, as he was sure the importance of it was sufficient to attract the attention of their Lordships. In consequence of the sudden recal of Earl Fitzwilliam

from the viceroyship and government of Ireland, in the midst of a most critical and arduous session of Parliament in that kingdom, the honour and the character of a very distinguished individual (a respectable member of their Lordships' body) were involved in it. His fame and reputation had been severely wounded, by the event of ministers having advised his Majesty to recal him from an important station. This was not all, for the subject involved matter of more importance than even the honour or the life of any individual—the probable tranquillity of the sister kingdom and of this. Much as he regretted that the business had not fallen into abler hands, he would proceed upon it as well as he was able; and first, he should observe, that he rejoiced, as he believed their Lordships would rejoice, that the cause which occasioned the delay of the discussion of this subject (the illness of the Duke of Portland) no longer existed; although he was of opinion still, as he had declared he was when last the subject was mentioned, that that was no reason for any delay whatever in his mind. Their Lordships might have proceeded with perfect propriety in the absence of the Noble Duke, because all the Select Committee of the Privy Council, who formed what was called the Cabinet, were equally responsible for every act of government, and not any individual minister or Secretary of State, merely because the communication between the Viceroy of Ireland passed through his particular office; but, as many of their Lordships thought otherwise, he had consented to the delay that had taken place.

The Noble Duke could do no more than to give directions to his clerks to transmit the dispatch settled and decided on by the Cabinet. The question therefore was, whether the Noble Earl had acted contrary to his instructions; or brought forward measures contrary to the wish of his Sovereign and the interests of the empire, or in any degree violated his duty, either from vanity and weakness, or any other cause, so as to make it a matter of justice or prudence to recal him for the safety of the state? or, whether ministers had departed from their duty, from wantonness or caprice, or any sinister party views of their own, and improperly advised his Majesty upon that subject?

In order the better to illustrate his argument, his Grace said, he must request the indulgence of their Lordships, while he took a summary view of the changes in the administration of the government of this country, from a period considerably anterior to the date of this recal. At the time of the American war, their Lordships would recollect, there was a party who opposed both the principle of that war, and the manner

manner in which it was carried on. That party increased in numbers, and consequently in strength and impression, in proportion as the misfortunes of that war multiplied; and succeeded at last in removing the minister of the Executive Government that conducted it. Then was formed what was generally denominated, the Rockingham Administration; soon after which that venerable and much beloved and to be lamented Nobleman, the Marquis of Rockingham, died.—He was succeeded, as First Lord of the Treasury, by the Earl of Shelburne; a peace was made under the sanction and authority of the minister, and the terms of it occasioned the party to separate, many of them disapproving of those terms. The opposition of that day passed a vote of disapprobation of the conditions of the peace, deeming them not adequate to the honour of the nation; and moved a censure upon the minister, in consequence of which he withdrew from his station. Then followed what was generally called the *Coalition* Administration, because it consisted of a part of the opposition who had driven the ministers, who carried on the American war, from their posts, and some of those very ministers. But when they brought forward their Bill for the regulation of India, which, though generally considered as a strong measure, passed in the other House, their Lordships rejected that Bill, in a way that was thought extraordinary from the means that were supposed to have caused an unconstitutional influence to be exerted; and the immediate consequence was, that it completely removed every individual of that administration. Then came forward a young man of shining hereditary talents, the offspring of an illustrious statesman, the greenness of whose years was thought to be more than compensated by his powerful eloquence and predominant genius. He did not find himself supported at first in Parliament; but when that Parliament was dissolved, having the confidence of his Majesty, he afterwards obtained the complete support of both Houses of Parliament. With regard to one of the measures of that minister, it was such as would, in the mind of every reflecting man, do him infinite honour as long as his memory was regarded; and more especially as it was adopted at a time of great public difficulty and distress; he meant the Commutation Act—a measure that was adopted for the reduction of our national debt, and that tended to rescue, and in effect did rescue, the nation from the pressure of burdens and calamities that threatened to overwhelm her, and bring on utter ruin. This was a measure, his Grace said, which he heartily applauded; but he was sorry he could not go on to praise the minister for the rest of his political conduct. From that time down to the present day, every succeeding

succeeding act of that minister seemed to be still more censurable than the former, and more loudly to call upon Parliament to resort to those measures which had been in so many cases applied with salutary effect. He would next come to the year 1789, when the French revolution, long foreseen by reflecting men, came forth; when, from a concurrence of causes, a dreadful convulsion was produced. Abuses became intolerable, and the People undertook the task of reforming for themselves—a necessity to be deplored—for when the people reformed for themselves, they generally reformed miserably; and here he thought the inability of our ministers became conspicuous. The French people, compelled by a system of Court oppression, which the blindness of supposed security, and the inveterate obstinacy of habitual despotism, prevented the Court of Versailles from removing, had suddenly effected a change in the government of that country—a change to which a British government, if formed on true constitutional Whig principles, could not have failed to subscribe, being from despotism to a limited monarchy. A combination was formed by the powers of Europe, who became alarmed and fearful of the effect which this revolution might produce in their own dominions. Under this was formed the treaty of Pilnitz, a treaty never acknowledged, but which there was good reason to believe actually took place, and that treaty went on principles, and contained resolutions, that no state had a right to form against another. Our ministers should, in his opinion, have come forward to prevent that combination, since, so far from allaying the storm already raised, it tended to increase it, and drove the people to excesses, of which they themselves could not have formed a conception.—This, his Grace considered as a glorious opportunity for the Court of Great Britain to have raised the character of this country among the nations of Europe, to establish their own fame on a lasting foundation, to have secured this country from the miseries and waste of war, and above all, to have averted the fate which befel the unfortunate victims who afterwards suffered in France, and prevented all the subsequent atrocities: Unfortunately they acted a different part; the consequences were too obvious to be discussed. In the years 1790 and 1791, France proceeded beyond the bounds which any good man would wish to see, and the effects were such as we must all deplore. At this time a gentleman of great learning and talents, and great eminence in science, came forth, and published a book with the best and purest intentions, he had no doubt, entitled, “Reflections on the French Revolution”—a book, unquestionably, which contained great eloquence, and proved the exalted genius of
the

the author, but which conveyed sentiments, inculcated principles, and maintained doctrines, contrary to those which had been always cherished by the Whigs of this country, contrary to the principles established, or at least asserted, at our Revolution. Another person soon appeared as a political writer (Mr. Thomas Paine), far inferior certainly, in point of ability, talents, powers of language, and genius, but yet of some power; he appealed to the lower orders of mankind, in a manner, perhaps, better adapted to affect them than the former, because his manner was better calculated to meet the apprehension, and rouse the prejudices of the middling and lower order of society, than to convince the intelligent, or gratify the discerning and learned. He laid down in his book some very good doctrines, but misplaced the application of them, and mixed several libellous remarks on our constitution in the farrago of his composition; for which he was tried, and a verdict was justly found against him. This book was wickedly circulated, but it was declared a libel, and he hoped the contents of it were now forgotten. Perhaps it would have been better if neither the one nor the other book had ever appeared. After this came a Proclamation from his Majesty against seditious writings, and the Public began to be alarmed. About this time the minister, in a most eloquent speech, on opening, what is commonly called, the Budget in the House Commons, assured us of a prospect of the continuance of peace for at least fifteen years to come. Then immediately followed a system of alarm. The consequences of the books just mentioned were too well known. The agitation they produced served ministers as a pretext for doing that which they had, from the beginning, intended to do; and on the final overthrow of the monarch and monarchy in France, Mons. Chauvelin, the French minister, was ordered to quit the kingdom. The Parliament was called together on a sudden in an unusual manner. The Lord Mayor of London silenced a society in the city. The Tower was fortified with casks and deal boards. The country was stated to be ready for insurrection. The militia was called out. The ground for doing all this was never stated. Parliament itself became too much terrified to ask for a proper explanation, but was hurried away at once into all the measures of his Majesty's ministers. Upon this, however, there was a good deal of difference of opinion in that House, and he as well as several other Noble Lords had never believed in the existence of any real cause for all that alarm. He should have been ready to give up his opinion, if he had not found men of much greater wisdom than himself who believed as he did—that the whole was a fabrication purposely contrived to induce this country to

1

consent

consent to a war. The panic was at last about to be exhausted; ministers adopted another scheme: They had prevailed on many of the most distinguished persons who had opposed their measures for many years, but had been seized with the alarm, so artfully created, to join them. They expressed great satisfaction at the assistance of their new supporters, and well they might do so. They were rejoiced, and very properly, at finding such assistance; and had these Noble Lords and Gentlemen continued to give such assistance, without accepting offices, both they, themselves, and Administration, would, in his mind, have stood much higher in the public opinion, and have had more of the confidence of the People than they possess at present; but these Noble Lords and Gentlemen were not satisfied with lending their support to Government; they determined on taking on themselves responsibility, by accepting employment under Government; when he mentioned this, he did not mean to insinuate, that in the whole of their conduct they were not actuated by motives of the purest nature, although perhaps it would hereafter appear that they proceeded on mistaken principles. He did not like to refer to documents that were not properly before their Lordships in an authentic form; but they all knew, that a considerable delay took place in arrangements. Whether that arose from the difficulty found in receiving all the new adherents, or in keeping the old ones, he knew not, nor was it material, for the arrangements were at last settled. Among those was the arrangement with regard to Ireland, respecting which he would endeavour succinctly to state to their Lordships what he thought, and what he knew. It was then clearly understood that all restraints on the Catholics that were not absolutely necessary for the safety of the state should be done away. For the last forty years it had been notorious that the Catholics of Ireland had been kept in a state of the most teasing and tormenting anxiety, suffering under the shameful severity of the most unnecessary, cruel, and oppressive restrictions which the darkness of prejudice could assent to.—They were absolutely shut out from the chance of conforming to the established church, and left at the mercy of common informers; and they had nothing to resort to for their common comfort and protection in the exercise of their devotion, but their own huts and cabins, under the connivance of Government. In many parishes in Ireland, for miles together, they had not even a church; and it was a common thing to say to a clergyman, "You have a good snug living, where you receive your tithes and emoluments, and have no church in your parish to do duty in." As to religious disqualifications, he conceived that they could properly arise only from political necessity: When that necessity

necessity ceased, the disqualification should end; and as the Popery laws arose from fear of the power of popish states which now exist no more, or at least are powerless, it was unjust, cruel, and impolitic, to fetter a people merely for conscientious scruples of religion. This being the situation of Ireland, he could not possibly suppose for a single moment that the Noble Earl (with whom antecedent to his accepting office he had long lived in habits of intimacy, and whose virtues and honour he highly respected) should have gone there upon a mission of such importance, with any doubt as to what was intended to be done upon that important point. The whole system of the new Viceroy's government had been settled and decided upon in the several months that passed previous to the Noble Earl's crossing St. George's Channel. The removal of any particular persons from inferior stations, he considered to be always a thing of course under the discretion of the supreme Governor of Ireland. He had nothing to say against Mr. Beresford or any other Gentlemen; he might be as good a man as his successor, or his successor as good as he; but surely that could be no ground for the recal of a Lord Lieutenant of the kingdom. The mere change of a man in office was certainly no ground for Parliamentary proceedings: In a change of Administration he had himself been removed, but he thought nothing of it, because it was a general rule in all new Administrations. Under all these impressions the Noble Earl went to Ireland. It was necessary that all parties should be cordially united in one general view; whether it was considered that they were to protect the island from invasion, or to destroy domestic discord. When the Noble Earl arrived in Ireland, Mr. Henry Grattan, a man of high character, great popularity, and uncommon talents, from well-understood instructions no doubt, came forward and stated that the Catholics were to be relieved and emancipated. From his justly-acquired fame there was every reason, under all the circumstances, to apprehend that every thing under the new order of things was to be accomplished. That gentleman had nobly stood forward on another occasion as the champion of the Irish cause, and for his successful exertions the Parliament of Ireland had voted him a remuneration larger than any that Parliament ever voted before to any individual, except to the Earl of Chatham, of both which the Noble Duke approved.—In this situation did Mr. Grattan stand forward. Parliament heard the tidings with joy, and so did the Public. They voted thanks to the Lord Lieutenant; they came forward with alacrity, and voted much larger supplies for the public service than ever they did before. During the American war, they consented to the most lavish

taxation without a murmur. The Catholics, brought to this high pitch of expectation, found of a sudden the Lord Lieutenant recalled, and all their fond hopes vanish. The cup was suddenly dashed from their lips, and the whole country was thrown into confusion. Thus did ministers tear open wounds which were beginning to bear the aspect of healing. And here he earnestly deprecated and cautioned ministers to beware how they adopted any measure that tended to risk the amity which subsisted between the two kingdoms. The loss of America we had been able to bear. Some persons might, perhaps, think, that the losses we sustained on account of America, or the loss of America itself, was trifling; but he knew not of any who would say that the loss of Ireland would not make a dreadful havoc to Great Britain and to Ireland. An inferior fleet of Great Britain might, by the valour and skill of her sailors, conquer a superior fleet of France, or, if even conquered, might again be recovered by the spirit and energy of the people; but if a gash was made between Ireland and England, it was a gash which no human means could ever close or cure. He thought that the time was come, when the inquisitorial power of Parliament over the conduct of ministers ought to be exerted. He concluded with moving, "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before this House, such parts of the correspondence between ministers and Earl Fitzwilliam, while in Ireland, as relates to the motive and the ground of his recal from the government of that kingdom; during which time the Parliament had voted their confidence in him, and had granted supplies with a munificence unexampled in the history of that country."

The Earl of Coventry said, he respected the Noble Earl whose recal was the subject of discussion, as much as any of their Lordships could, but he could not assent to the present motion. He had always understood that a charge should precede a defence. He had heard nothing like a charge urged against the Noble Earl, and therefore he thought it unnecessary to take this measure. He apprehended that their Lordships ought not to interfere in this case, for it was a matter resting entirely on the prerogative of the Crown. He had no doubt but the Noble Duke's motion was dictated by the purest motives, and a conscientious desire to discharge his duty; but he would put it to the Noble Duke, suppose his Majesty were to change all his present ministers the next day, would the Noble Duke who made the motion, and who wished this business to be investigated, think it necessary to promote a Parliamentary inquiry?

The

The Noble Earl went to the government of Ireland with as fair, honourable, and distinguished a name as ever man possessed, and he thought he had returned with that name unsullied; why then call for an inquiry that would involve the discussion of Cabinet secrets? If any breach had been made in the tranquillity of Ireland, would the motion tend to heal the breach of the peace, or restore harmony either in that country or this? For these reasons he hoped their Lordships would dissent from the motion. He should not attempt to follow the Noble Duke through all the topics he had brought forward: No doubt but the House was much obliged to him for the information he had given to their Lordships.

Earl Fitzwilliam returned the Noble Duke his sincere thanks for bringing this subject forward, and gave the motion his hearty assent. What might be the consequence he knew not, but he must call on the justice of the House. He called on them to do justice to an individual. He stood charged, not by words but by facts. They were no Cabinet secrets, nor any secrets. The facts were notorious to all the world, but the motive of recalling him, if this inquiry be not instituted, would remain in darkness. Here he was entreating their Lordships to do what they were bound in duty to do, to hear those who were charged defend themselves, if they were able to defend themselves. He came forwards to their Lordships, as one of their body, charged with misconduct in the execution of an official trust of great magnitude, and imploring their Lordships protection, begging of them to allow him the opportunity to vindicate his character, and defend himself. He asserted that his conduct had not been merely pure and befitting, but that it had been meritorious. All he asked was, that the cause of his removal should be laid before their Lordships. His fame and his honour lay at their feet, and he trusted their Lordships would do justice, and enable him to rescue both from the disgrace so unmeritedly attempted to be cast on them.

The Earl of Mansfield said, he would confine himself strictly to what appeared to him to be the question, and would in the first instance declare, that he should give his vote against the motion, as he saw no salutary effect whatever that it could answer; the character of the Noble Lord (*Earl Fitzwilliam*) certainly gave great and weighty advantage to the present motion for inquiry. That character he admitted always to have been pure and unsullied, nor was it less so in the present moment, than it had been during every period of his life. He meant to oppose the motion entirely upon general grounds. He did not consider the character of the Noble Earl as implicated in any charge which called for inquiry. There were two positions, upon which the motion was grounded, which

he wished unequivocally to admit; first, the responsibility of ministers with respect to Irish affairs; and secondly, the right of that House to institute an inquiry in all cases which called for their investigation: But that right was not to be exercised on every occasion; it was always to be exercised with a sound discretion, and only when a very strong case indeed occurred, which rendered inquiry indispensibly necessary. In the present case he contended that no inquiry was necessary. It was the indisputable prerogative of the Crown to remove ministers from their situation. To inquire in every instance into the grounds of such removals, would be an interference on the part of that House new in point of practice, and unauthorized by the principles of the constitution. Let their Lordships ask themselves on what ground either of law, justice, or the constitution, the inquiry now proposed ought to be granted in this instance. No such ground would be found to exist. Another and a still more important reason why the present inquiry should not be instituted, offered itself, namely, the necessity of secrecy in the conduct of public business. He would state two cases, one of a General, who should be superseded in the middle of a campaign, and the other of an Ambassador recalled. These two were undoubtedly among the strongest cases that could possibly be imagined. But he would put one still stronger—suppose his Majesty were to dismiss a Secretary of State for foreign affairs pending a negotiation of great importance, if the persons thus dismissed, should assert that they had been engaged in a train of measures highly beneficial to the Public, when they had been stopped short in the middle of their career, if they should loudly demand an inquiry into their conduct, and for that purpose move for all the papers relative to the plan of operations, or the progress of negotiation, would the House exercise a sound discretion, if they were to comply with such requisitions? on the contrary, would they not directly negative any such application? And was the correspondence relative to the affairs of Ireland less consequential, less important, that it should be exposed on the present occasion? It was necessary for the proper conduct of public business, and in order to keep up a right understanding between ministers and those who served the Public at any distance under their instructions, that the most free and unreserved communication of sentiment should take place between ministers in this country, and those who had the direction of affairs out of the island. Could this be the case if every communication from the minister to the servants of the Public was liable to be brought forward, and made the subject of Parliamentary discussion? If such a procedure was to be sanctioned, however, the correspondence might retain the name of
secret

secret and confidential, it would assume a degree of reserve and caution, that would totally defeat all the essential ends of such communication, which could never be expected to be attained, unless the most free and unreserved confidence were exercised by both parties, and that could never be the case unless they were mutually assured of inviolable secrecy, unless when great and indispensable necessity impelled a disclosure. Ministers would recollect that they were liable at a future period to be called to account for every unguarded expression, and might sometimes be induced to suppress particulars, which, if communicated, would have been essential to the public service. He acknowledged and agreed with the Noble Duke, that ministers were responsible for their conduct to Parliament by the constitution; but how could they be justly held to that responsibility, if the very essential part of their security, the confidence that should subsist between them and their colleagues, and the secrecy on which that confidence was built, were to be violated and promulged, upon every occasion of discontent, by the interference and order of Parliament?—The Noble Earl (Fitzwilliam) had said, that a charge had been brought against his character, and had called upon the House for their protection. If such had been the case, he would then have admitted that an inquiry was necessary, for the purpose of his exculpation. He contended however that the fact of his removal from office by no means implied any charge against his character; and even if it were true, that there must be blame imputable somewhere, which he denied, it did not follow that the Noble Earl stood accused. The power by which he had been removed was discretionary, and all that could be inferred was, that there existed between him and his Majesty's advisers in this country, a difference of opinion, which rendered it impossible that they should act in conjunction with respect to the affairs of Ireland. What final determination could be obtained, even if the papers called for were on the table? The question must then turn on the wiser opinion of the two parties, ministers or the Noble Earl. In politics it has been said, there is no certainty of conclusion; beyond probable consequences they could not go. He therefore called upon the House, however much they might be interested by the feeling appeal of the Noble Earl; to consult their reason and their prudence, in the decision of the present question, and to pursue the line of conduct which he was persuaded the Noble Earl himself would always adopt from conviction, in preferring the public good to the gratification of their own private feelings. Such were the general arguments in opposition to the motion; but it might be said that the present

sent difficult and embarrassing situation of Ireland more particularly called upon the House to go into an inquiry. What were the facts to which they were to resort for that purpose? It was necessary that it should be ascertained that Ireland was really in a state of discontent and inquietude, neither of which admitted of any proof that could be brought before the House; and next, that the recal of the Noble Earl was the cause of that discontent, of which, as a Member of an English House of Lords, he knew nothing. A question, though not in the precise terms, yet nearly of the same tendency, as the present motion, had been already proposed to the Irish Parliament, and negatived by a large majority. To take up the discussion then in that House, would be to interfere with the decision of an independent Legislature, who were alone competent to determine upon the subject, and could only have the tendency, as had been remarked by a Noble Earl (Lord Coventry) to increase the fermentation, and inflame discontent, rather than to restore harmony. In this point of view he could not help considering the motion as highly dangerous and mischievous. Having, therefore, argued the question upon general and constitutional grounds, and strictly abstained from saying any thing that might admit of a personal application, his Lordship said, he should conclude with giving his negative to the motion.

The Earl of Guildford said, that from the experience of ten years, during which he had found ministers were in every instance determined to resist examination, and obstruct inquiry, he had not been at all disappointed that day in their steady adherence to their established system of stifling inquiry. Notwithstanding, therefore, their boast upon a former occasion, that whenever the subject of Irish affairs came to be discussed, they would be bound to prove that no part of the blame attached to them, he had never been sanguine enough to expect that they would keep their words, but had supposed that they would take some means to evade an inquiry; and in the event he had not been disappointed. He trusted however that their Lordships would force ministers in this instance to abandon their strong hold, and, though against their wills, to grant the papers called for, and then inquiry must take place. It was not indeed necessary to go into an inquiry to vindicate the character of the Noble Earl; that, as had been admitted, still remained pure and unsullied; not from the circumstance that no attempts had been made to take it away, but because the efforts of a few individuals had been found insufficient to prevail against the testimony of his whole life, and the general integrity of his conduct. A question of much greater importance than the life or honour of an individual was now at issue;

issue; the interests of both countries called loudly for an inquiry, and were deeply involved in the decision. The House were bound, from motives of duty and of honour, to go into the inquiry which was demanded. If it was found, that the mischief had arisen from the incapacity, the weakness, the presumption, and the contumacy of the Lord Lieutenant, it was fitting that he should be punished; if, on the other hand, it had proceeded from the duplicity and treachery of his Majesty's ministers in this country, the infamy of their policy ought no longer to be concealed. The necessity of state-secrecy was urged in opposition to the present motion for inquiry. Could they teach the people of Ireland any thing which they did not at present know and feel? Were not they already in possession of the facts which would form the basis of discussion? It had been said by two Noble Earls that it was the prerogative of the Crown to dismiss all its officers at pleasure, and without assigning a reason, and that it was no part of the duty of that House to inquire into the grounds of their removal. It was the prerogative of the Crown to declare war; it was the prerogative of the Crown to conclude treaties; and was that any reason why the House should not discuss the justice of the one and the policy of the other? It was the duty of both Houses of Parliament to watch over the exercise of the prerogative of the Crown on all occasions with a scrupulous jealousy. In the present instance a Lord Lieutenant of Ireland had been removed, in possession of the almost unanimous approbation and confidence of the people. Expectations which had been raised in a very numerous body of the community, with respect to the adoption of certain measures, had been grievously disappointed. The consequence had been to produce in the people of Ireland discontent and distrust, if not alienation and despair. Was it not fitting that the House should inquire who were the authors of this calamity? Were they not bound by the strongest ties of honour to avert from the country the reproach of such a conduct, and to prove to the people of Great Britain, and, what was still more essential, to the people of Ireland, that only a few individuals, and not the English nation, were really their enemies? It had been said, by the Noble Earl who spoke last, that inquiry ought not to be pushed too far, that it should never be granted but under a sound discretion, and in this instance it would be dangerous. He professed that he could not agree with the Noble Lord, but was of a quite contrary opinion, and that to stifle investigation was much more dangerous. It could not be argued that such an investigation would open the eyes of the Irish nation, for it was a fact that the eyes of the Irish nation were

were already but too open to what had lately taken place. Danger must arise, not from inquiry, but from those who made that inquiry necessary. It was necessary that the public character of public men should be known. Every inquiry, he admitted, was attended with some degree of danger, but it was only to those whose misconduct had produced the necessity of investigation. Those only were endangered by inquiry, who had occasioned danger to the Public. He could not conclude without taking notice of some Letters that had been given to the Public, by his two Noble Friends (Lords Fitzwilliam and Carlisle), and which there was every reason to suppose authentic. In these Letters the Noble Earl (Fitzwilliam) attributed the whole of the business to an intention of the First Lord of the Treasury to degrade and annihilate the Whig party; such was the scheme which he supposes him to have pursued in the whole of his conduct with respect to Ireland; and of which his other friends had become so egregiously the dupes. There is however no reason to be surprised at either this system of duplicity on the part of ministers, or of cullibility on the part of his friends. All that had happened had followed in the unalterable order of things. Could the Noble Earl expect that he should have been suffered to carry the principles, which he, and those with whom he had acted, had given up in this country, across St. George's Channel, and that they should revive and flourish in Ireland? Could he expect that the system, which had been so long contended for, and at last abandoned in the one country, should without opposition be adopted in another? When an Octavius had been found to desert a Cicero, might it not be supposed that there would not also be wanting an Anthony to countenance and assist in the sacrifice? The evil was now perceived too late. The Whig party, which had so long stood as a bulwark against the corrupt influence and unconstitutional attempts of ministers, and which the Noble Earl by his desertion had contributed to destroy, could not be built up again. What else could be expected under the administration of a man who had founded his maiden fame on the desertion of those very principles with which he had set out in life? Lord Guildford concluded with giving his most hearty assent to the motion for inquiry.

Viscount Sydney said, that during forty years he had witnessed different changes of ministers, but had never known such a motion as the present to be adopted. He declared, that he never knew the removal of a minister of the Crown to have been the subject of Parliamentary investigation. If he agreed with the present motion, it would be out of feeling to the Noble Lord, as his experience of near forty years had not

furnished

furnished him with one example by which he might guide himself; whereas, on the contrary, he had in a few years seen more than one Lord Lieutenant removed, and those men high in character, high in reputation, honour, virtue, and probity; yet they never considered their removal as a ground for Parliamentary investigation. He instanced the removal of Mr. Pitt (the late Lord Chatham) in the zenith of his popularity, from the Secretaryship, which was notified in the Gazette to have taken place by his Majesty's *command*, which was so singular a mode of dismissal, that it was deemed most extraordinary; and he should have thought if any thing of the sort could have provoked and justified an inquiry, that dismissal would; but though party spirit ran high at the time, it was too much even for those times, and was not attempted. He remembered also the total dismissal of an Administration within the short space of twenty-four hours, in neither of which instances had any inquiry taken place. He adverted to the censure which the Duke of Norfolk had passed on the church of Ireland, and conceived any such attack on a body of men to be highly unwarrantable. He asked the Noble Duke (Norfolk), where he had learnt to tax the church of Ireland with so much neglect, and upon what authority he spoke, when he made such an assertion? Very likely there were some members of the church of Ireland neglectful; but where was the large body which had not some bad members?

The Duke of Norfolk said, that he by no means meant to pass any censure on individuals; he only adverted to a notorious fact, the neglect of parish-duty in some parts of Ireland; of this fact he could bring many witnesses, and if their evidence should not satisfy the Noble Lord, he could adduce the testimony of his own experience from a residence of two years in that country.

The Duke of Leeds said, he agreed most perfectly with the Noble Lords who stated that it was an undoubted prerogative of the Crown to appoint and dismiss its ministers and servants, of every description, even without assigning any cause; but he could not admit the inference which was drawn from that fact, *viz.* that any investigation proposed by that House, when it appeared to them to be necessary, was an infringement upon that branch of the prerogative so justly stated, and so particularly contended for that day. All inquiries were improper, unless when the exercise of the prerogative had been illegal or unconstitutional; he thought that this business should have been agitated in the proper place, *viz.* between the parties immediately concerned, and that in a private manner; such an investigation as the present must involve

not only the character of the Noble Earl, but also that of the Executive Government. The House, it had been admitted, had a right to institute an inquiry on the recal or dismissal of a minister at home or abroad, where it saw strong grounds for it; but a Noble Earl had said, if he understood him correctly, that it ought to exercise a sound discretion in instituting any inquiry of the kind. He was ready to subscribe completely to that doctrine; and the question in this case seemed to be, whether an inquiry could be agreed to by their Lordships consistent with the exercise of a sound discretion on the part of their Lordships? He thought it could, as it need not be pursued to the end, beyond the limits of a sound discretion. He was aware it might extend to points which it would not be proper, and which he did not wish to push it to. The House in their discretion might stop short of going that improper length of investigation. On the recal of a Lord Lieutenant of Ireland as a mere matter of fact, it might be improper to go into any inquiry respecting the causes; but when that fact was attended by circumstances of an extraordinary and unprecedented nature, which the dismissal in question notoriously and avowedly was, he thought it became the dignity and the wisdom of that House to institute an inquiry of the nature proposed by the Noble Duke. This was their duty both to the character and situation in which a Member of that House was placed, and to the country at large. The peculiar and interesting state of Ireland at the time, and the sudden and extraordinary recal of a Governor who seemed to possess so much of the confidence and esteem of the whole people and Parliament, were topics upon which the public mind was greatly agitated, and upon which they had a right to call for some satisfactory accounts. He was sorry for the difference that had unhappily taken place between the Noble Earl and his Majesty's ministers. He could have wished that no such thing had ever been made public; and when he first saw the Letters of the Noble Earl in the public prints, he had believed, what he had hoped would turn out to be the fact, that they were spurious and surreptitious; but since he found those very facts avowed by the Noble Lord himself, if it was to go out of the beaten track, he would vote for the investigation. They ought not to refuse an investigation which so nearly affected the Noble Lord's honour—There was another strong reason which would make him regret the silence of the House, *viz.* that their Lordships were to protect the confidential servants of the Crown. He did not think that an investigation could affect them, for, for his part, he thought no suspicion would rest on the servants of the Crown, as he saw no
serious

serious charge which could be attributed either to the Noble Lord or them. He did not, however, think it was possible for the Noble Earl to go to Dublin without knowing the limits of his power: If he exceeded them, he was certainly to blame; but if, on the other hand, he had no instructions how to act, those on this side the water were to blame. As to the extracts required relative to the Noble Earl's recal, he could not think that any fatal consequences would arise from producing them; he would therefore give the motion his hearty support.

The Earl of Caernarvon observed, that the Noble Duke (Leeds) who spoke last, had, in fact, admitted the impropriety of the inquiry, which he supports by avowing that it was not his intention to pursue it to its end, through all the objects which might be of dangerous or improper discussion; but proposes when he has satisfied his curiosity or discretion, to abstain from urging the inquiry to inconvenient lengths; but he does not attempt to shew the possibility of advancing a step with propriety, or even without danger: The inquiry must necessarily, by the terms of the motion, go the whole length of making all which produced the Noble Earl's recal a subject of public discussion. I have listened with all possible attention to the Noble Mover, and have heard a very long and good political history of the seven or eight last years, but could trace no argument in support of the inquiry he proposed, but that certain differences of opinion having existed between a Noble Earl, lately filling the highest station in a neighbouring kingdom, and the Members of his Majesty's government here, which produced his recal; one side must be in the right, and the other in the wrong; and that in public matters, the existence of wrong was sufficient ground for public inquiry. This position must be founded upon a general propriety of inquiring into the motives in every exercise of the Royal prerogative of dismissing its servants.—The trust is certainly vested in the Crown for the public benefit; but it is for the public advantage that it should not be examined into, except in cases (which can seldom occur) of gross abuse. It may happen that the King ought in prudence to remove a servant, against whom no crime can be alleged. Incapacity of various natures, suspicions even of the slightest sort, neither fit to be stated nor capable of proof; official controversies, and variety of other reasons; may be the prudent motive of silent dismissal. Many persons on whom no imputation could fix, have in my time been dismissed from high office.—A Noble Duke now in my eye, has been dismissed from high situation, but he has neither thought his honour or reputa-

tion in the least affected by it, nor did he think it necessary to call for an inquiry by way of justification to his character. I lament as much as any person the unfortunate differences which have taken place, and which have caused the Noble Earl that uneasiness which his present sense of his situation gives him; there is no person who doubts his honour and integrity, and who is not persuaded that he has not in any thing acted so as not to forfeit that high estimation in which he has always stood with those whose estimation he valued. Private and cool discussion might have healed all those wounds which accident has occasioned; public discussion can do no good to private griefs, and in the present case must be of dangerous consequence.

The Noble Duke who spoke last, is aware that the inquiry led to points which he would not wish to enter upon; but he will find it difficult to advance a single step without entering upon matter not only improper and even dangerous, but on subjects in which we have no competent jurisdiction. If we are to judge from report and from publications of supposed authenticity, the recal of the Noble Earl was owing to removals intended by him of old servants of the Crown in Ireland; for to that intention, rather than to the measure respecting the Catholics, his recal is attributed by one of those printed letters. We must in that case enter into the discussion of the propriety or impropriety of those removals, before we can judge or decide on the fitness of the recal of the Noble Earl: We must have all the papers that concerned the motives and grounds which induced the Noble Earl to insist on their dismissal, and all the correspondence between those persons and the Earl, about their removal, before we can form an adequate judgment. It is as necessary for their character, as our judgment, that the inquiry should take this course; and yet this is hardly an occupation within the scope of the duties or power of Parliament in this kingdom. If, on the other hand, measures respecting the Catholics in Ireland were the cause of the Noble Earl's recal, we must fully discuss that important and delicate question, we must come to a decision of its propriety, before we can judge of the conduct of the Noble Earl, or of the King's ministers here. The Parliament of Great Britain is not competent to decide on this point, as respecting the kingdom of Ireland; and yet, without deciding it (and every body feels the great impropriety and danger of doing so, especially at this moment), we cannot proceed a step in forming a judgment on the necessity of recalling the Lord Lieutenant of that kingdom, be his character as high and as unimpeached as that of the
the

the Noble Earl. I am therefore decidedly of opinion that the papers desired by the motion of the Noble Duke should not be granted.

The Earl of Moira said, he had come down to the House that day, full of curiosity, not an idle or vain curiosity, but full of earnest and anxious doubt, and desire to know what turn the discussion would take, and what line of conduct ministers would follow. It was his wish to have heard ministers, when they had already shifted all blame from themselves, give some sort of evidence or argument why it ought to be attached elsewhere; that blame did exist somewhere, the fact of the recal of the Noble Earl, under such extraordinary circumstances, fully demonstrated, and the Public had a right to be satisfied on the subject. The Noble Earl had fairly, boldly, and honourably courted an investigation into his conduct, and it equally became his Majesty's cabinet ministers to be ready on their part to meet the Noble Earl's challenge, and put the House in possession of such information as might enable them to form a right and true judgment upon the question so directly at issue between them and the Noble Earl. The union and harmony of Ireland, in its relative situation with this country, was so desirable an object, that as every thing which tended to promote that union and harmony was the best interest of this country to encourage, so every thing that tended to interrupt it was most dangerous in its consequences, and studiously to be avoided. He deprecated an idea, which had been repeatedly thrown out, that any investigation of the nature proposed was a direct interference of this country with the Legislature of Ireland. So far from that being the case, it was what that country looked for, and had a right to expect, as one in which the dearest rights of both kingdoms were involved, and which it was the duty of both to see fully and fairly investigated. He agreed, as every body had done, in the opinions stated by different Lords respecting the prerogative of the Crown; but, admitting the extent of that argument, he still must insist, that, in extraordinary cases, and all such as the House might deem so, the prerogative of the Crown, and the manner in which it was exercised, were fit matter for the cognizance of that House: That such cognizance should be proceeded on only when dictated by sound discretion, he was ready at all times to allow; if ever there was a case where sound discretion called for investigation, and a recognition by Parliament of the exercise of such prerogative, it was that now before the House. All the danger that had been dreaded by some Noble Lords, he considered as visionary and unfounded.

With

With regard to what had been said by the Noble President of the Council, respecting the power of appointing and dismissing the servants of the Crown, he must answer, that this was no common dismissal of a Secretary of State, or any ordinary minister of the Crown, neither were its consequences so trivial and unimportant. The cases of an Ambassador, or a Secretary of State for foreign affairs being dismissed, pending a negotiation, had no sort of analogy to the dismissal or recal of a Viceroy of Ireland, who must be supposed, till the contrary was proved, to have spoken the language of his Sovereign, and have followed the instructions of his Majesty's Cabinet. He begged their Lordships to consider the extremely critical situation of that kingdom, at the time the Noble Earl was appointed; the great satisfaction that his intended measures had given to that country, and the unanimous support that he had experienced from the Parliament and the people, and then let them reflect on the extraordinary and unprecedented circumstance of the Noble Earl's being withdrawn from the government of that country in the midst of the most important business that could occupy the attention of that kingdom, and while he had just proposed, and was carrying on measures so truly honourable to himself, auspicious to the interests and prosperity of Ireland, and so conformable to the wishes of people of all descriptions, both there and here. Under those circumstances could this be reckoned an ordinary dismissal, or rather were there not involved in it such serious consequences that it demanded every possible investigation, and every explanation that could calm and satisfy the public mind? Some Noble Lords had expressed much shyness, on the ground that it would be improper to entrench upon the delicacy of the subject and the Noble Earl's feelings; but such observations, in his mind, came with a very bad grace from ministers at present. What delicacy could they pretend to after the manner in which they had treated the Noble Earl? The very circumstance of recalling him in the way they did, carried with it a degree of disgrace and supposed criminality which no delicacy for the present, nor indeed any thing but a fair inquiry, could possibly do away. The Noble Earl had come forward with his facts, and was ready to defend himself in his place; let them stand up likewise in their own defence, and prove to the House and to the country that blame was not imputable to them. The Noble Earl had been accused of bringing forward a measure improperly, called the emancipation of the Roman Catholics; whatever propriety there was in that measure, and he believed it was universally admitted to be a wise and politic one, the Noble Earl had asserted, and

was

was ready to prove that it was not the cause of his dismissal. All the other measures of his government, equally tending as they did to the satisfaction, the tranquillity, and the prosperity of the country, the Noble Earl had declared himself ready to answer for. He had been joined, as soon as his intended system of government was known, by that great and disinterested patriot, the able and tried friend of his country, Mr. Grattan, who had supported his administration not in the ordinary way of supporting administrations, by accepting of places of rank and emolument, but honestly and independently, without asking for, or condescending to accept any office of emolument from Government, but merely because the Noble Earl's system of government in that country for the first time was going on undistinguished from the good of the people, and hand in hand with their safety, their prosperity, and every interest connected with their relative situation with this country.

On the Catholic question, and indeed on almost every other that had been entered upon, full three fourths of the country not only were with him, but had proposed and strongly solicited measures which he seemed inclined to follow, and the other fourth never thought of opposing them. If their Lordships would but think for a moment on the Noble Earl's situation personally, if they recollected his own stake in that country, his great estate, his high rank, and still higher reputation, and the wish he must have felt to preserve unsullied that character and estimation in which he was so justly held by his countrymen—could they for an instant suppose that his conduct was dictated by motives of vanity or ambition? Certainly not. It must be visible to all who were able to make such observation upon the subject, that it was not momentary popularity, but a conviction that he was acting for the security of the country, which induced him to follow those measures most adapted to insure it. One leading feature in his administration was, an early and uniform disposition to correct by every possible means those violent abuses, which were known to have prevailed in former administrations, which could not be denied, and which had disgraced and degraded not only those who committed them, but the very name of the country in which they were suffered to exist. In this country, as in all governments, there might be suspicions of corruption; but whatever corruption did exist here, it at least had the shame to hide its face, and assume a virtue, if it had it not: There, suspicion was out of the question, corruption was manifest, notorious, and not even attempted to be concealed; it stalked abroad unveiled at noon-day, and with

with the pravity of a prostitute, braved the eyes of the world, put modesty to the blush, and insulted the decency of the country.

Lord Romney called the Noble Earl to order; he feared that such language might be considered elsewhere an insult upon the Legislature of another country.

The Earl of Moira proceeded—Animated as he felt himself by his subject, and possessing such complete knowledge of the facts he had stated as he did, he perhaps might have been betrayed into a warmth of expression that induced the Noble Lord to call him to order, no doubt justly, but, he owned, very unpleasantly to his own feelings. He would therefore not pursue the same strain, but endeavour to keep clear of the fault again, though from his conviction of the truth of his statement, he must think that the part of the Noble Earl's system to which he had alluded, was one of the most important, most material, and most salutary measures of his administration. On this subject of the corruption which had prevailed in Ireland, he was not merely giving his own opinion, it had long since roused the general and glowing indignation of the whole country, being as notorious as it was uncontradicted. One Gentleman's name had been introduced into the debate (*Mr. Beresford*), for whom he entertained a very high respect, and did not wish to insinuate any thing that could look like a censure upon his conduct; but though he said this, he might fairly add, that he saw no impropriety in his removal; no charge of corruption, that he knew of, had ever been made against that Gentleman; yet if public opinion was against him, that was sufficient to make his removal from office necessary. When Noble Lords asserted, that the present state of that country bore no symptoms of dissatisfaction, he rather thought they asserted too much; if they thought otherwise, he wished they would be so good as to prove it. But were they quite certain it was tranquil at present? Did they suppose that because there were no riotous insurrections in Ireland, the people were satisfied with the late transactions? If they did, he would answer, that there was something much worse than insurrection and tumult in that country. Silent disgust at the British Government was taking deep root in the minds of the people, and from silent disgust he apprehended much more serious danger than from open riot and disorder. It was far more likely to undermine that harmony among the people of Ireland, and that regard for this country, that it was so essential to British interests to cultivate and encourage.

His

His Lordship adverted to the fears and alarms, in his opinion groundless, that had been entertained from the introduction of French poison and French principles, which had been made the cause of all the distresses under which the country at present suffered. From these he thought much less danger was to be apprehended, than from the critical and dangerous situation of Ireland; he would then ask, whether this danger did not proceed from the extraordinary and sudden recal of the late Lord Lieutenant? It certainly did. The proceedings of all meetings, and the addresses from all parts of the country, from corporations, even where the Protestants were known to have the ascendancy and influence, as well as from different cities and counties—all shewed their dissatisfaction and fears of dangerous consequences from this recal. There might be those who so much despised all proceedings of those public meetings, that they would not allow that the sense of the country could be judged of from that criterion; they might, however, be constant attendants at court-levees, and, if they were, he would refer them to St. James's, and there they would find that the people of Ireland, not content with conveying their sentiments on the grievances they suffered, through the medium of their representatives in Parliament, came forward from all parts of the country, with addresses to the Throne itself. Was this a time to be careless about offending the people of that country?—Was it a time to withhold from them what they so much wished, and what was so essential to their happiness and their security—a time when they had afforded to this country a great addition of strength, and had granted, with unexampled munificence and liberality, such liberal supplies?—when, in return for a promised boon, they had given us great additional and effectual support, was it prudent to shew them how little they had to depend on our justice—how much they had to dread from our indiscretion? With regard to the emancipation of the Catholics, it was the general wish of all descriptions of men in Ireland, the Protestants as well as the Catholics. He, for one, thought it highly adviseable, and he thought so because he really conceived it would essentially conduce to the safety of that kingdom; if that were not his sincere opinion, did his Majesty's ministers imagine, that with his property in Ireland, he would lend the measure his sanction, or act so madly as to countenance that which would induce consequences likely to endanger his estate?

His Lordship continued reasoning very ably and eloquently, and addressed himself to those who spoke so highly of the Noble Earl, and denied that any charge was made against, or any blame attached to him; and asked them if there was no dis-

grace, no dishonour in his recal, under the circumstances, and at the time it took place? He considered that way of speaking extremely wrong; mere vain and empty compliments thrown out as a set-off against serious and substantial charges, were but a poor compensation for the material shock that his honour and his feelings had sustained. That such charges had been made, he stated with confidence, from printed papers which they had all seen, and the authenticity of which he had every reason to admit. He pronounced an handsome panegyric on the public and private character of the Noble Earl, with whom he declared he had held no communication as to the part he had taken that night; and if ministers resisted all inquiry, and refused information on the question at issue between them and the Noble Earl, he must attach to them all the blame which they have hitherto wished to load the Noble Lord with; and, what would rest more heavily upon them, all the dangerous effects that were to be dreaded from their indiscretion.

The Earl ended a very powerful and impressive speech, with declaring, that he should give his vote for the Noble Duke's motion.

The Earl of Westmorland * and the *Marquis Townshend* both rose together, but curiosity to hear what the Earl, who had been the immediate predecessor of Earl Fitzwilliam in the viceroyship of Ireland, would say upon the subject, induced the majority of their Lordships to call for Lord Westmorland's being heard; the Marquis Townshend therefore gave way. His Lordship said, what had lately happened in Ireland, and the publications imputed to the Noble Earl who had so recently returned from the castle of Dublin, made it impossible for him to sit silent, when a topic, in which he was in some measure personally implicated, was under discussion in that House; but as it was some years since he had the honour to address their Lordships, and he was not in the habit of public speaking, he had to beg their Lordships indulgence for any impropriety that he might, through inadvertency, be betrayed into. The Letters of the Noble Earl, for such he would, for the sake of his argument, take the liberty of considering them, contained assertions and inferences to which he not only could not subscribe, but which he must beg leave positively and peremptorily to deny. In order the better to illustrate his meaning, and render it, in what he should have to submit to their Lordships, clear and distinct, he would state the passages in those letters to which he meant to reply one by one, and accompany each with such observations as he should feel it necessary to offer. The Noble Earl had expressly declared,

* Master of the Horse.

that on his arrival in Ireland he found the government of that kingdom a government of corruption and oppression. He wished the Noble Earl had stated in what that corruption and oppression consisted. He knew of no corruption in his Majesty's government there, any more than in any other government. It was as pure, and not more corrupt than any other; compared with the government of this kingdom, there was as little corruption there as here. And when he had the honour to represent his Majesty in Ireland, it had been the avowed and solicitous object of his Majesty's government to protect, and not to oppress, those who were subject to it. It was curious to observe how miraculously the Noble Earl made this discovery of the state of the government of Ireland, almost as soon as he set foot in the castle of Dublin; let their Lordships consider the date of the Noble Earl's embarkation from this country, the date of his landing in Ireland, of his arrival at the castle, and of this letter, and they would, he doubted not, express some degree of surprise, at the very short period that elapsed between the Noble Earl's embarkation, and his having been enabled to make so round and unqualified an assertion, and to act upon it. The Noble Earl had thought proper to dismiss several of the most faithful and tried servants of his Majesty, and to assign his reasons for it in the letters before him. Speaking of Mr. Beresford, the Noble Earl had declared, that "he filled a situation greater than that of the Lord Lieutenant; and when he saw that if he had connected himself with him, it would have been connecting himself with a person under universal heavy suspicions, and subjecting his government to all the opprobrium and unpopularity attendant upon his mal-administration, what was then to be his choice?—what the decision he had to form? He could not hesitate a moment: He decided at once, not to cloud the dawn of his administration by leaving in such power and authority, so much imputed malversation." What situation it was Mr. Beresford filled, so much greater than that of the Lord Lieutenant, Lord Westmoreland professed he could not understand. During his administration in that kingdom, he was not apprised of any party which Mr. Beresford could so powerfully controul, nor did he believe that either he himself or his family had acquired such astonishing authority. If he held any influence, it was the influence of an active man, a man of great knowledge of the interests of Ireland, of great ability and uncommon application, who was at all times zealous in the service of his King, and the preservation of the peace and tranquillity of his country. Yet this Gentleman, so faithful, so vigilant, so indefatigable in his services, is accused of labouring under universal heavy suspicions, opprobrium,

brium, and unpopularity, attendant upon his mal-administration and his malversation. These were serious words, and serious charges for an unblemished reputation to sustain, and ill-befitting a man who had, like him, conducted himself in his "high office" with so much honour and fidelity, and served the public for nearly forty years together. How did the Noble Earl obtain this information? He landed only on the Sunday, and could not consequently give an audience till the Monday; and yet, upon the Wednesday following, he had acquired such a complete and thorough knowledge of Mr. Beresford's unpopularity and malversation, as to determine to dismiss him. Did he make his inquiry at the Custom-house? did he make it at the Revenue Board? or did he content himself with partial information, and exclusively receive this report of Mr. Beresford from his political enemies? Three days was a short time for such investigation; and yet, short as it was, the time the Noble Lord employed was apparently still shorter; for when the Marquis of Waterford left Dublin on the Wednesday, there was no rumour whatever, nor the most oblique suggestion that his brother was to be discharged. Had the communication of the Noble Earl's intentions been made known to Lord Waterford, Mr. Beresford would have had the advantage of a brother's advice on so trying an occasion; but that was not allowed him. How the Noble Lord could justify himself, would have been problematic to decide, if the Noble Lord had not proceeded to justify himself in this manner: He disclaims every idea of personal injury, and imagines he has offered sufficient recompence by a pecuniary compensation. What, is not an attack upon the character of a man in office an injury? To say he is under heavy suspicions, to accuse him of mal-administration, malversation, and unpopularity, is this no injury? or can any pecuniary compensation alleviate such charges? Does any person, who knows the honour of the Gentleman and his family in question, suppose for a moment that he would be induced to consider a pecuniary compensation an adequate satisfaction for his wounded fame and character by imputed malversation? If his character were, as it is represented, so notoriously bad, it would have been the duty of the Noble Lord to have removed him without giving any compensation; and if, on the other hand, it be so good as it really is, could the Noble Lord imagine, that to deprive a man of his office and his dignity, to deprive him of serving his King and country with the zeal he wishes, and to deprive that King and country of such a useful servant, could be atoned for by any pecuniary compensation?

Lord Westmorland next adverted to a still stranger discovery, a discovery which had not only escaped him, but his Noble

Noble predecessor the Marquis (Townshend). He alluded to what had been alleged against Lord Fitzgibbon, who had been the first object to be assailed, and whose valuable life had been endangered. Who, he asked, stood by England at the time his Majesty's ministers were almost totally deserted? Who was it that had always manifested a sincere solicitude for the unity of the Crown, but Lord Fitzgibbon, that sound lawyer, upright judge, and faithful counsellor?

With regard to the provision for the Attorney General when he retired, which the Noble Earl had said he gave that Gentleman, Lord Westmoreland begged leave to inform their Lordships, that he had taken credit to himself for that reversion being secured to the Learned Gentleman; and he would state on what ground he had done it. An opportunity offered for that able lawyer to have a Chief Justiceship, when he, as Lord Lieutenant, could not part with him, without great detriment to his Majesty's government. He therefore prevented his taking a seat on the Bench; and having done so, secured a reversion for him, whenever he retired, of 2,300*l.* per annum, which, as a man of honour, he held himself bound to do.

The next person he noticed, was the King's Solicitor General, who had been the object of resentment of every faction: a gentleman of private estimation, large fortune, and eminent in his public capacity. Whether any of these Gentlemen acted from corruption or not, his Lordship said, he should be proud to compare them in honour, ability, and public character, with any of those Gentlemen the Noble Lord had chosen to succeed them.

He at length came to speak of himself. The Noble Lord had said, that "it was one of his objects, and that a principal one, to bring back consequence and dignity to English government." This was a reflection, Lord Westmoreland said, upon his government: He hoped the Noble Lord did not design to convey such an insinuation personally to him; it was liable to be so construed, but he did not believe the Noble Earl meant it in that way. If the consequence and dignity of English government had been lost, how happened it that when he was there he had obtained such universal support? How happened it that he had found a strong and leagued opposition upon his arrival, which he turned over to the Noble Lord weakened to a degree that ensured silence? How came it to pass, he might ask, that he was able to effect all the great and important objects of his government, and return with reasonable expectations of further instances of his Majesty's gracious favour, when he stood in his presence at St. James's?

Another Gentleman dismissed from his Majesty's service, was Mr. Hamilton, a man who had the merit, not of forty,
but

but of fifty years faithful service, to plead in his behalf; a Gentleman of great knowledge of business, well acquainted with the interests of the kingdom, of easy address, and most captivating manners.

The Noble Lord had confidently asserted, that Ireland was discontented, disunited, and uneasy. How he had learned the distracted and disunited state of the country, was the next object, his Lordship said, to be considered. Had he learned that too from conversation? for he was sure it could not be by any other means. He found the Parliament unanimous, no seditious meetings, no inflammatory harangues; the people loyal and industrious, an increase of revenue, a flourishing commerce, and a prevailing harmony throughout the kingdom. If the country had been in that distracted state in which it was represented, how came these circumstances to be undeniable? Or why had it not been deemed necessary to keep it checked and awed by an army? Yet the army was removed; and though the country was in this distracted state, and the people so disunited, as the Noble Earl had chosen to assert, we never heard of any of those fatal and alarming consequences which usually attend a rebellion.

The Noble Earl, in his Letter, had laid great stress on the large supply which had been granted; and yet, Lord Westmoreland said, the supply of the preceding year had been nearly as much, or, if not quite so, as much at least as the country could spend. Was it for a peculiar set of Gentlemen in office, or for the emancipation of the Catholics, that this extraordinary supply was granted? Every Protestant Gentleman in the country contributed an equal share, and they granted it not for any interested purpose, but because it was wanted; and if three times as much had been wanted, it would have been granted with the same promptness and good-will. His Lordship was aware, indeed, that an attempt had been made to excite disaffection, by raising a clamour on the score of imaginary grievances; but it was merely an attempt, and it failed.

The Noble Earl had further urged in support of his measures, that he had made the war more popular.—Who said it had ever been unpopular in Ireland? The opinion of its necessity was much more strongly impressed there than here, and some reasons were to be assigned for it. The Irish were alarmed, like every other nation, at the cruel and rapacious excesses of the enemy: They suffered no inconvenience from the war, but, on the contrary, a progressive advantage; for the exportation of their corn and provisions was much increased; and thereby, as their commerce was not impaired (for by the good care of the Lords of the Admiralty, not an enemy's

enemy's cruizer was to be seen in the Irish Channel), they gained an increase of revenue also.

Having discussed at some length the merits claimed by the Noble Earl, on account of having procured so large a supply, and decisively refuted that assertion, both by circumstances, dates, and facts, which assigned it to the expectations of the Catholics; his Lordship proceeded to the next question, that of the Catholic emancipation, and how far Lord Fitzwilliam was authorised to inculcate it: A question which, he said, ought undoubtedly to be spoken of with great reserve, as it was a matter of peculiar delicacy. He was aware that many were for it, and probably the gentlemen of property might not chuse, or think it prudent, to stir in opposition to it; but no one Gentleman of that description wished it to be agitated. His Lordship confessed he had always considered it as impolitic and inexpedient, nor could it be brought forward in a serious manner, except by Government. It had been a question the preceding summer, who was to rule as Lieutenant? and that question evidently proved, that no fixed opinions had been formed upon that subject. The Catholics had received concessions, for which they were very grateful; and except they had been urged by others they would not have attempted to disturb the public tranquillity. He said he had reason to believe that the Noble Earl had not been authorised, because he had acknowledged that he had been directed to keep it off. And since his arrival in London, when the matter began to be talked of, as if his Majesty's Cabinet had lent their sanction to the measure, Mr. Pitt told him, when he mentioned the extent to which report said the measure was to be carried, that he was mistaken, for that the Lord Lieutenant had instructions to keep it off for this session. Relative to his own opinion, he observed, the opinion of an individual Cabinet minister was no more than the opinion of any other individual; nor could it prevail any more than the opinion of a Secretary of State for the foreign department could, for a peace with the French republic, without his colleagues. How far he had endeavoured to keep the question off, was easy to be seen: The Catholics were soothed and kindly treated; they were contented with what they had obtained, and did not ask for more at present.

The distinctions the Noble Earl intended to abolish depended on a question more fit to be discussed by lawyers than their Lordships.—Did the Noble Earl ever read the Act of Settlement? If he had, he would find, that any Prince in this country who acknowledges the supremacy of the see of Rome, and holds communion with the Pope, does, *ipso facto*, immediately forfeit his inheritance of the Crown. By the provisions of

the Act of Supremacy and Uniformity, such an emancipation as was proposed would be construed a reconciliation for holding communion with the see of Rome. By the Articles of Union too, the King is bound to maintain the Protestant establishment, and this is not a time to trifle with the civil or ecclesiastical establishments of our ancestors. Let us remember the coronation oath, to preserve the true profession of the gospel, the Protestant reformed religion, and the rights and privileges of the Bishops, and then ask, whether it would be wise, prudent, or safe in the King to forswear himself, and so violate the acts he ought to sanction.

James II. adopted a similar policy to that which had been lately proposed, and they had witnessed the consequences. Why might not similar causes produce similar effects? Consider to what a dilemma the King is put; he must either refuse the wishes of a great part of his people, break the Act of Settlement, or subject his conduct to strange interpretations.

Proscription and persecution, it is stated in the printed letters, have been complained of among the Catholics since 1793. Was that true? Were they not received with equal favour as the Protestants, and did they not enjoy the same impartial justice and mercy? In regard to their hopes and expectations, corollary evidence will satisfy that no measures were offered to indulge them. No minister could have been so indiscreet as to direct a Lord Lieutenant to raise either unnecessarily. He had received no such instructions, but he was directed to state, that the Government which would succeed him would be a continuance of the King's Administration, whereby all jealousies and distinctions were disclaimed, and parties put out of the question. Could any thing be more fair or honourable, or could any thing else be expected of Mr. Pitt?

Lord Westmorland spoke in high terms of the sincerity, steady attachment, and strict honour of the minister; and having in the course of a long and able argument, treated all the important topics brought under discussion in a manner that proved that his Lordship had not lost the opportunity his high situation in Ireland afforded him of making himself master of all the political concerns, and distinct talents and worth of men among the first political characters in that country for fidelity and knowledge, the Earl concluded, with returning his thanks to their Lordships for the attention they had honoured him with, and declaring that he should give the Noble Duke's motion his decided negative.

The Earl of Moira replied to the answer which had been made to his observation on the general corruption of the Irish Administration.

Administration. Surely, though the Noble Earl had been Lord Lieutenant of that kingdom, and had received the salary annexed to the office, it could not occur to him that he was implicated in the detail of the corruption of the country. With regard to Mr. Beresford, the Earl reminded the Noble Marquis that he excepted that Gentleman by name from all imputation of blame.

Earl Fitzwilliam began an animated reply, by declaring, that if he had before conceived that the Catholic question was not the genuine cause of his recal, he was now convinced of the fact, which stood confessed before their Lordships. The Noble Earl had returned from Ireland, according to his own account, only with the intention to govern it more securely. He had declared that he had, even before his return, Mr. Pitt's promise, that his friends should not be removed from their situations, and he had no sooner set his foot in England, than he had procured these promises to be renewed, and had taken care to embarrass the new arrangement of the Administration. To this, in so many words, did his own account of his conference with ministers tend. And it certainly was most perfectly true, that the Noble Earl had taken all the measures in his power to embarrass the future Administration in Ireland; for what other purpose could the granting a reversion for two lives of a place of 2,300*l.* a year to Lord Fitzgibbon serve? He had not been two days in Ireland before he discovered what the Noble Earl now owned to be the case, before he was convinced of his intention to embarrass the King's government, and that a very perfect system had been formed with ministers at home, for accomplishing that end. That which he had sensibly felt in Ireland, was now avowed in England, and it seemed there was no hesitation in acknowledging the course which had been previously arranged. Now, however, that he was returned from Ireland, with the favour of the people of that country, he should not follow the example that had been set him, he should not be a factious interferer in the system of his successor. He should not intrigue either publicly or privately; all that he should do was what he felt it to be his duty to perform—to support the character of those honourable men with whom he had been most immediately connected in Ireland: He should pay no regard to all the loose and vague insinuations thrown out against himself, some of them borrowed from his own words, and some of them taken from the words of others, but artfully jumbled together to make them appear all his own. For the character of the honourable men with whom he was connected, he was bound to stand up, and he declared that men of more pure honour, disinterested spirit, and zealous patriotism,

VOL. III. Z

triotism, there did not exist in either country. They had conciliated the affections of the Irish people to the Crown—they had restored harmony to the kingdom—they had reconciled all the jarring discords, and from the north to the south, from the east to the west, had brought the whole people of Ireland to be an undivided family of brothers, and had animated this large body with a spirit of loyalty to their King, and of affection to the sister kingdom, from which exertions for the common cause had sprung unprecedented in the history of the nation. To the efforts of those great and good men he owed all the popularity which he enjoyed in the country; and not only he, but Ireland itself, was equally sensible of their virtues, for in the many addresses from every district and community of men in the kingdom with which he had been honoured, and which he could shew their Lordships if it were thought necessary to prove a fact which no man, he believed, would dispute, he was thanked for two things; for calling to his Councils, and acting by the advice of men whose virtues were so universally known and felt, and for the system which he had adopted. A man more universally beloved, and more deservedly so than Mr. Grattan, there did not exist in Ireland; and it was the peculiar fortune of that Gentleman that his unalterable attachment to English connexion, his unremitting pursuit of the happiness of Ireland, his disinterested zeal in the service of his native land, which he ever combined with ardent loyalty to the Sovereign, were exalted and made more conspicuously useful, by the unrivalled talents of his mind. This Hon. Gentleman's services the Noble Earl himself must acknowledge, when, at a very arduous moment, he came forward to the support of Government, and, at the commencement of the present war, by his grand and animating eloquence, had brought over the people to the approbation of it; and certainly the war was not popular in the kingdom until he had made it so, whatever the Noble Earl might think on the subject. The people did not see in it a common cause, until inspired by him, and until he taught them to feel that their true and best interests would always be to stand or fall with Great Britain. Such was his patriotic argument, such was his successful eloquence!—"and for having connected myself," said Lord Fitzwilliam, "with this Gentleman, was I dismissed; for it was obviously on that account chiefly that I incurred the hostility of the English minister." Another Hon. Friend, Mr. Ponsonby, had certainly more weight and influence, than any other gentleman of family, or perhaps than all the other families put together, and his services to Government were truly advantageous. He had been in office; he had been

been dismissed from office before now; but he had not come factiously over to England to complain of such dismissal, and to intrigue against the existing Government, on account of his having lost a place. He did not presume to think that there was any injury in a public servant of the Crown being sent back to the mass of the society from which he had been drawn; he did not think that he held that office in fee, and it was an absolute inheritance from which he could not be driven. These were the new notions which were reserved for the present day, and upon which he had been made the victim of Cabinet intrigue. Since the coalition in July last, many instances of dismissal had taken place, though his conduct alone in dismissing persons in whom he had not confidence had been arraigned. He had incurred much obloquy on this ground. The dismissal from office on account of it, with the loss of its authority and patronage, he perfectly knew how to despise, but he was sensible to the attack upon his character. A Noble Earl, his friend, (Lord Carlisle,) who did not approve of his conduct in this respect, but whose friendship he was sure he possessed, because he was satisfied he had favoured him with a Letter on the best motives, had kindly, and with a candour that did him infinite honour, made known to him all the calumnies which were spread here against his character, and made him feel the necessity of refuting the insinuations which were so industriously spread against him. And yet were there not many instances of alteration in office taking place without any inquiry? Had not Admiral Gardner been removed from the Admiralty Board, Admiral Affleck and Lord Hood? And was it not evident that ministers must have the power of nominating friends in whom they had intimate personal confidence to the situations under them? Without such arrangements, business could not be transacted. When a man undertakes an office for the duties of which he is responsible, it is obvious that his efforts must be seconded by men who possess his full confidence and thorough esteem.—Such, said the Noble Earl, was my feeling with regard to Mr. Ponsonby. He is the man of all Ireland who has done the most to keep up the connexion between that country and England. His whole life has been most honourably devoted to that service; and, therefore, his claims on any Administration desirous of preserving the unity of the empire were irresistible. And it was not his own merits alone that he had to plead: His father, his grandfather, and indeed all his ancestors, had performed such eminent services to the Crown, as gave him a distinguished claim to Royal favour. We were not yet so perfectly Jacobinical, nor were the French doctrines yet so thoroughly established,

blished, as to induce us to refuse to any man the claims of honourable ancestry. The father of Mr. Ponsonby had particularly distinguished himself by disinterestedness, as well as by active service; when he found reason to relinquish the Speaker's chair, and to resign his other places, he retired with no pension, place, nor reversion for himself, his wife, his sons, and his relations; he retired to his own limited patrimony, to enjoy the consciousness of rectitude with the blessings of his country. Another branch of the same family, he was accused of having an intention to bring forward, Mr. George Ponsonby. A man more eminent in his profession was not to be found. He had been sent for to England to consult with ministers on the arrangements to be made, and it was fully and perfectly understood, that his great and useful talents were to be employed. With respect to the great and material question in this discussion, it had been stated by the Noble Earl, that as far as he could presume to know, I was bound to carry on the system which had been acted upon with the assistance of the old friends of the Administration, and that they were not to be dismissed.—“To this I answer,” said Lord Fitzwilliam, “that the direct reverse was the fact. I went out expressly authorised to complete the measure of 1793; that measure originated in England, and when the coalition took place in July last, every Catholic body in Ireland naturally looked to the completion of a system by the men who had begun it, which would accomplish what they called their emancipation.—Surely a Noble Duke who made an essential figure in that coalition, could not entertain the idea of carrying on the affairs of Ireland on the system which had prevailed, and whatever the Noble Earl (Westmoreland) might think of the merits of his administration, it was not thought so well of, nor regarded as either good or fit to be persevered in by that Noble Duke or his friends. The presumption therefore is, that the old system was not to be pursued; and the fact is also so. But, says the Noble Earl, has the King without violation of his coronation oath the power to grant emancipation to the Catholics? Did he not give his royal assent to the Act of 1793, which restored them to their rights? And could it at this day be a question, whether the discipline of the church, transubstantiation, the form of kneeling, or sitting, or standing to take the Lord's Supper, could endanger the safety of the state? No!—No! these alarms were gone by, and it was at this day felt that there could be no danger to the state but from political doctrines. In fact, the religious tests in former days, were only required as evidences of political creeds, and now that the occasion which gave them birth was past, they ought

ought to disappear, together with all the injurious distinctions to which they gave birth, to make room for the tranquillity of equal rights. When I undertook the arduous station of Lord Lieutenant of Ireland, said Lord Fitzwilliam, let it be remembered that it was in the hour of danger. The common enemy, with an activity which had surpassed the common march of war, had added provinces after provinces to their dominion. I had scarcely set my foot on the Irish shore, when, not a province only, but a whole state, the most important state in Europe as an ally of England, had been added to the empire of the enemy; nor even was this all. I had scarcely landed on the eastern coast of Ireland, when news was brought me that the western coast of the kingdom was threatened by 36 line of battle ships of the enemy, and that the whole kingdom lay at their mercy, there being no army in it, if they chose to make a descent. This state of peril did not last only for a day, or a week—it continued for a whole month, presenting to Ireland, and to all the world, the French the undisputed masters of the sea, even so recently after the glorious victory of the 1st of June. Such was the state of Ireland on my arrival, when I applied to the first men in the kingdom, through them to arouse the whole energy of the nation, to inspire them with one common sentiment of love to their King, and to unite them in one uniform resolution of defending their country. I touched the string, and it breathed harmony; it was not a doctrine of differences, but an animation to resist and repel the enemy, if the French had dared attempt a landing; that enemy that came armed with fire and sword, and with principles still more poisonous and more destructive than either. If, in such a moment, my hands had been tied, and I could not call forth the best abilities of the nation, in order to arouse and incorporate the whole, could I have hoped for success; and, with common discretion for my guide, is it likely that I would have attempted it? I had the power—I exerted it—and I have the thanks of every part of the kingdom. Addresses came to me from all quarters full of the most grateful thanks, addresses in such profusion that I could pour them in upon your Lordships table in shoals, if it were necessary. Have I the regret of the nation on being arrested in my career? Go to St. James's, and you will find that I brought with me the regret of the people of Ireland. But I am recalled; and I am told that no blame is thrown upon me. They say that there may be no blame on the one side, and no error on the other, yet you all know what insidious pains have been used to stigmatize my character. It is to discover the truth that I support the motion of the Noble Duke. It will bring the whole matter before your Lordships, and enable you
to

to decide fairly between us. I thank the Noble Duke most sincerely for bringing the subject forward, and I desire that my character may be tried by my conduct. I ask for no more than your impartial decision."

Lord Grenville began with observing, that much had been said in the course of the debate to which, for obvious reasons, he should decline making any reply. He should not in any measure whatever enter into a discussion of the merits of the Noble Earl's administration, nor into the circumstances which induced his recal.—He should confine himself simply to the question, whether the House ought in policy or justice to go into the proposed inquiry? It had been stated as a ground to justify this measure, that the Noble Earl had been recalled from Ireland, under circumstances so peculiar, that his removal either implied misconduct in him, or guilt in those who recalled him.—For his own part, he was not aware that guilt was to be attributed to any quarter. It was the undoubted prerogative of the Crown to dismiss its ministers, whatever might be their character, and however high their situation, without publicly assigning the reasons. With regard to the right of Parliament to institute inquiries into the causes of the recal or dismissal of ministers, he was far from denying it; but it was, as a Noble Earl had said, a right that ought to be exercised with a sound discretion: There might be cases in which their Lordships would think it their duty to call for the confidential communications between different branches of Administration; but such cases rarely occurred, and when they did occur, their Lordships would discuss the business with the whole of the information before them. The House had not yet called for any such inquiry, and it was not for ministers, before the information was called for by the House, to disclose what, by their duty and by their oaths, they were bound to keep secret. By this rule he should be guided, notwithstanding any inducement to the contrary; notwithstanding the strong inducement held out by a Noble Duke (Leeds), that the refusal of ministers to go into the inquiry must be followed by the conclusion that they were to blame, and notwithstanding the Noble Duke had ventured to assert that a material part of the correspondence moved for might be produced with perfect safety, and that the House would go to no further extent in the investigation than sound discretion warranted. When the Noble Duke was a Member of the Cabinet, he did not so conduct himself. He then felt the propriety of suffering charges to pass unanswered, when he knew that a single word, but that word of a nature not fit to be disclosed, would have cleared him. For his own part, he had often done this; and he did not believe the inference of guilt followed from silence; that

that if a minister refused to give all the information required to answer a particular accusation, his accuser might say, *Habeo confidentem reum*, was ever considered as a serious argument by any man acquainted with public business. Every man who was placed in a public situation ought to have philosophy enough to bear those general invectives; and however painful it might be, he should recollect that his duty to his Sovereign, his regard to his own fame and honour, and to his oath to keep secret council, forbade a disclosure of the councils of state. The most material part of the question before their Lordships was the fitness of going into the discussion at all, and before deciding upon that they were called upon to discuss it upon surmises. He would therefore dismiss from his consideration all verbal declarations, all pamphlets and publications of letters, authenticated or unauthenticated, and restrict himself to what he conceived to be the only ground upon which the decision of the House ought to turn. With respect to the insinuation that the blame might be imputable to his Noble Friend (Duke of Portland), in whose department the correspondence with Ireland lay, he would say, in the first place, that no blame was imputable to any of his Majesty's ministers; and, in the next, that blame, if any there were, was not more imputable to his Noble Friend than to himself or any other confidential servant of the Crown; ministers were all equally responsible for the advice they gave the Crown, and for the measures of Government; there was, constitutionally, no such thing in this country as Government by departments, every Member of the Cabinet being equally responsible for every measure of the Cabinet. The terms upon which men who had before differed in political opinion had agreed to act together, were such as the situation of the country rendered necessary with honour to themselves, and advantage to the general interests of the empire; and although the success of that junction had not been entirely answerable to his wishes, it was a consolation to him that it had been so great as the country, much to its benefit, had actually experienced, independent of the satisfaction he felt from the opportunity of acquaintance with the character and virtues of men which otherwise he should not have had means of knowing so well. He had looked anxiously for the proper grounds of such a motion in the speech of the Noble Mover, and found only a history of what the Noble Duke conceived to be the conduct of Administration since the American war, which however accurate, however able, had certainly little or no relation to the Noble Duke's motion. Did the situation of a Lord Lieutenant of Ireland differ in any respect from that of any other minister of the Crown, who might

might be removed at pleasure? His Lordship said, he scarcely knew how to argue the question, not from any want of argument respecting it, but his embarrassment proceeded only from not knowing what it was he had to combat. If the Noble Earl (Fitzwilliam) complained of his recal from the Lord Lieutenancy of Ireland, he would answer by reminding the Noble Earl of the servants of the Crown he had himself removed from office in Ireland. Were ministerial places held for life, or during good behaviour? He had been thirteen years in Parliament, and seen the removal of eight Lord Lieutenants without a single complaint to Parliament upon the subject. It was said to be extraordinary that a Lord Lieutenant should be removed during a session of Parliament, and yet three or four of those he had mentioned had been so removed. The Duke of Portland and the Earl of Carlisle, were two of them. This had been the practice amid all the parties and factions by which this country had been agitated; and to adopt a new course would be not to support, but to change the constitution. Nothing could be more dangerous than such a change; for it was not pushing the principle too far to say that if either House of Parliament were to inquire into the causes of dismissing ministers, the next step must be inquiring whether or not their successors were well chosen, and advising as to their appointment, by which means the legislative branch of the constitution would assume the functions of the Executive Government. They would in that case establish a Committee of Public Safety, or something worse. Their Lordships were not sitting in a constituent assembly to new model the form of government. The absurdities attending this system were too obvious to require illustration; it might happen that the House of Lords might decide in favour of one man, the House of Commons of another, and that the King might appoint a third.

Much had been said about the removal of certain Gentlemen from offices in Ireland: He would not say one word about the propriety or impropriety of these removals; he lamented the levity and indelicacy with which the names of distinguished persons in Ireland, had that day been brought forwards; but he would, as these Gentlemen's characters had been alluded to, merely say, that he had every reason to believe that they were extremely honourable in their private, as well as able and upright in their political characters. He admitted that ministers were responsible for the advice they gave to the Crown, but before they were called to the account, strong and substantive ground must be laid for it. The House, it was said, must proceed with discretion; but to call for the correspondence first, and then consider what use they would make of

of it, was not to proceed with discretion. But the grand point upon which the arguments in favour of the motion were grounded, was the Catholic question. He had before stated to the House, that he would not enter into a discussion of the expediency of that measure; but he would submit to their Lordships his reasons for thinking that under any circumstances it would be highly improper to debate that measure in the Parliament of this country. It was a point of the utmost delicacy, and one that peculiarly belonged to the consideration of the Irish Legislature. The Parliament of Ireland had been, he would not say made, but had been recognized as independent by the British Legislature; and he would ask their Lordships how an independent Parliament of Ireland must feel, on hearing that a subject, which, above all others, related to the internal situation of Ireland, was discussed in another Legislature. Before their Lordships would go into such an investigation, he was sure they would consider what the probable consequences might be.

His Lordship enlarged on the delicacy and danger of discussing the Catholic question in that House, upon which the independent Legislature of Ireland might already have come to a decision. On whatever side that decision might be, what would be the consequence, if their Lordships' decision should happen to be different? Was it fit to hold out to the people of Ireland, "Your own Parliament are oppressors and taskmasters; to the Parliament of England you must look for redress?" Or was it right on the other hand, if the English Parliament gave an opinion on the claims of the Catholics, not their emancipation, for that was an improper, because an inapplicable phrase, that was unfavourable; and the Parliament of Ireland were for them, to render the English Legislature odious in the eyes of the Irish people? He had admitted his own responsibility respecting the recall of the Noble Earl; but were his conduct as a Member of the Cabinet to be judged, on that account he would claim to be judged, not upon loose letters and surmises, not upon a part, but upon the whole of the correspondence; and it was for their Lordships to say, whether or not they would call for that correspondence under the circumstances and at the hazard he had stated.

The Duke of Leeds in explanation said, their Lordships would recollect than when he had the honour of being a Member of the Cabinet, he had sometimes submitted to the charge of *sullen silence* rather than defend himself by disclosing what was not fit to be disclosed. He agreed with the Noble Secretary of State, that to the most galling invective, a minister mindful

of his duty ought to oppose the most rigid reserve and secrecy; but he must nevertheless still insist that the motion before their Lordships might be complied with without any indiscretion or danger.

The Duke of Norfolk said, he had not questioned the prerogative of the Crown to remove ministers at pleasure; nor did he mean to enter into the merits or demerits of the persons whom the Noble Earl had thought it necessary to remove in Ireland. He contended that a large supply had been obtained from the people of Ireland by deception, and the object of his motion was to ascertain with whom the deception lay.

The Earl of Lauderdale began a speech full of matter on a great variety of political topics singularly combined, with expressing his surprise at the opposition to an inquiry which the character of his Noble Friend (Earl Fitzwilliam), the character of Administration, and the public interest, equally demanded. The Public had an interest in the character of such men as his Noble Friend, which they would not suffer to be muttered away. When he heard the predecessor of his Noble Friend in Ireland (the Earl of Westmorland) bespattering him with accusations, he thought the inquiry could not be refused. That Noble Lord had afforded a tolerable sample of the necessity for State secrecy on this occasion, because, however much his Majesty's ministers were to be commended for their delicate reserve and fullen silence, the Noble Earl had not felt himself much bound by the same restraint, as he certainly had not been quite so secret with respect to Irish affairs, as the Secretary of State. He told their Lordships that a bargain had been made for Lord Fitzgibbon, and that Mr. Pitt told him that no bargain had been made for Mr. Beresford, or any of the rest. Here then was high authority that that part of the accusation against his Noble Friend of removing persons whom he had agreed not to remove, was unfounded, unless their Lordships, from their knowledge of Mr. Pitt, should be of opinion that what he said ought to go for nothing. The Noble Lord (Westmorland) had denied the corruption of the government of Ireland, and at the same moment claimed the merit of giving away a reversion of 2,300*l.* in pursuance of that very system which he said did not exist. It was whimsical to see the race for praise on the score of corruption that one Lord Lieutenant seemed anxious to run against another, and that sort of contest was not only novel to their Lordships, but gave a pretty tolerable insight into the practice of the government of Ireland.

The Noble Lord was equally inconsistent, when he argued, that the dismissal of Mr. Beresford, Mr. Toler, Mr. Wolfe, Mr. Hamilton, and Mr. Cooke, from office in Ireland, was a disgrace, for which there could be no adequate compensation, but that the removal of the Lord Lieutenant afforded no reasonable ground of complaint. He ought to be a little more careful not so publicly to blow hot and cold with the same breath. But at any rate, if the second of these Gentlemen had an independent fortune, it was of no great injury to him to lose his place. Those who knew the character of Earl Fitzwilliam, the integrity and candour of his life, and the proofs he had given of the sincerity of his junction with Administration, his Lordship said, could entertain no doubt of his earnest wish to co-operate by every means consistent with his honour, in support of that system which his opinion of the interest of his country had induced him to adopt, and which he had lamented as an erroneous opinion at the time that it took place, because he deemed it an unfortunate opinion for the country. The Noble Lord (Westmorland) asked, if any man would say that Mr. Pitt was capable of abandoning those by whom he had been supported? He was the man who would say so. Was there now in the Cabinet an independent man, of those by whom Mr. Pitt had been originally supported? Had he not abandoned and got rid of them one after another, on different pretences, till he had found coadjutors of his own rearing, or entirely to his own liking? Had they not all heard that certain Boards were considered by ministers as excellent seminaries for statesmen? and was not the young politician, who had boldly soared from Indostan to Europe, and recommended a sudden march to Paris, immediately previous to the disastrous turn of the war, placed at one of those Boards? though to what object of political life that aspiring politician was to apply his talents, seemed to be a matter of some doubt, as he had lately changed his studies, and from an arduous attention to the map of India, and to the British interests in that quarter of the globe, he was of a sudden become a great military officer. Thus armed at all points *tam marti quam mercurio*, he would come out of the hot-bed of his various reading, equally qualified for the Cabinet or the field. But if Mr. Pitt had never abandoned his friends and connexions, where were they to look for the Noble Marquis *, formerly at the head of the Council Board? Where for another Noble Marquis †, formerly in the Cabinet? Where for the Noble Duke ‡ with

* Marquis of Stafford. † Marquis of Lansdown. ‡ Duke of Leeds.

the blue ribband, who with such independence and dignity held the seals no longer than he could hold them with honour? Where for the other Noble Duke * in the blue ribband, so long at the head of the Ordnance? And lastly, where was the Noble and Learned Lord † who had for so many years sat upon the woollack, and on whose manly spirit and stern integrity the country reposed such entire confidence?

Had Mr. Pitt shewn himself more steady to principles than he had been to persons? One of his earliest principles had been to reprobate coalitions, and yet they had lately seen him courting them with the utmost eagerness, though he appeared ready to shift his principles in this respect again, as he had already disgraced one of those he lately coalesced with. In a speech upon that subject, he asked, "if it could be supposed that he would change his principles as easily as he could change his gloves?" And yet any Lady must have had an allowance for pin-money, beyond the power of the richest contractor to grant, who could, without exhausting it, have stood the expence of changing her gloves, if she had changed them half as often as Mr. Pitt had changed his principles. It was not long since he claimed a great deal of merit from getting rid of Minorca, because it was a disadvantage to the country to have a port in the Mediterranean, and now the value of Corsica is appreciated beyond all bounds, because a port in the Mediterranean is inestimable. His Lordship instanced more of these changes, from which he inferred, that if Mr. Pitt was for the Catholic emancipation when Earl Fitzwilliam went to Ireland, it was natural to expect that he would change his opinion, because to be true to any one political principle would be utterly inconsistent with the uniform tenor of his conduct. As their Lordships were denied proofs, they must, from the characters of the two men, presume that the departure from previous agreement lay with Mr. Pitt, not with Earl Fitzwilliam.

He adverted to Lord Carlisle's Letter to Earl Fitzwilliam, written, he said, in a spirit of friendship, which he did not well understand. He would be slow to suspect a friend of misconduct; but if he were satisfied his friend had acted wrong, he would frankly tell him so. The style of the letter of the Noble Earl, on the contrary, was that of disclaiming the intention of imputing blame, but perspicuously conveying it in almost every sentence, and gently insinuating that which he did not chuse to say directly—

* Duke of Richmond.

† Lord Thurlow.

Willing to wound, and yet afraid to strike,
Just hints a fault and hesitates dislike.

The Noble Lord (Carlisle) wondered that his Noble Friend should think that his recal implied any charge against his conduct, and yet the Noble Lord himself had considered recal from the same situation by a ministry to which he was hostile (the Marquis of Rockingham's), although he had actually sent over a letter of resignation previous to receiving the letters of recal, an injury unprecedented, and declared that he would not communicate upon the affairs of Ireland with that ministry; and another Noble Lord in his eye (Lord Auckland) had also written a letter to a Noble Marquis (Marquis of Lansdown) complaining of the treatment the Noble Earl and himself had experienced. Lord Lauderdale said, he would not intrude on their Lordships by reading the whole of this letter, a copy of which he had taken and then held in his hand, but would barely state a passage or two, which he did accordingly. The Noble Earl's conduct reminded him of an anecdote of the late Mr. Lee, who being pressed by a friend to go to the opera to see a celebrated French dancer (Monsieur Vestris), and being asked his opinion, unwilling to displease, returned for answer, "that all the performers had done very well." So since the ministry had humoured the Noble Earl, who was tired with bearing about the insignia of that offensive motto, *Nemo me impune lacessit*, and allowed him to throw it aside for the gentler sentiment of *On y soit qui mal y pense*, since they had changed the Noble Lord's ribband from green to blue, whatever political ballet they might get up, they might be sure of the Noble Lord's approbation of all the performers, and that he would not risk displeasing any, by saying that one performed better than another.

With regard to the impropriety and offence that the independent Legislature of Ireland might take at an English House of Parliament discussing the subject of the Catholic Bill; he reminded their Lordships, that they were not called upon to discuss that question; but to inquire who had been the author of the imposition respecting it, practised upon Ireland, and surely they were competent to do that without offence to Ireland. He compared the corruptions of the Government in Ireland, with the corruptions of the Government here, which, as the Noble Earl (Lord Westmorland) had truly but strangely said, were equally bad with those practised in Ireland, and desired their Lordships to look to the Beresfords at home.

The Marquis Townshend said, it was highly improper to select the name of a respectable family, and apply it in so odious

odious a manner. If any charge was brought against Mr. Beresford, he desired nothing more earnestly than an opportunity of meeting it.

The Earl of Lauderdale said, he meant not to arraign individuals, but the system, which he proceeded to do in very pointed terms; and after a variety of very strong arguments, much of it personal, passed a warm and animated eulogium on Earl Fitzwilliam's administration in Ireland, and the characters of those by whom it had been supported, particularly of Mr. Grattan. With regard to the Noble Earl, he said, he had among others thought he did injury to the public cause by connecting himself with ministers last year; he would, nevertheless, do him the justice to say, he believed he acted in that particular on the purest motives; and in regard to the recent attempt of ministers and their agents to calumniate and disgrace him, every feature of his character gave the lie to any insinuation respecting him, that was not consistent with the strictest integrity and the nicest honour. His Lordship at length concluded a very long and able speech, with observing, that whether the motion were successful or not, the result must be, that the conduct of the Noble Earl, by whom ministers had dealt so unhandsofly, would stand unfilled in the eyes of the Public, supported by the unanimous testimony of the Irish nation.

The Earl of Carlisle said, he did not at that late hour mean to detain their Lordships by going into a discussion of a subject, upon which, he thought, too much had been said already; but he felt it necessary to say a word or two respecting the Noble Earl's remarks. As the Noble Earl had prepared himself to run a muck at the first characters in this and the neighbouring kingdom, as well as those whom he thought proper to represent as men of no character, he was not surprised at his condescending to run at so insignificant an individual as himself. And the appearance which the Noble Lord thought proper to make, was of a piece with the coarseness of his attack, having that emblem in his hand, which was the peculiar accompaniment of a convict in the cart, in his way to Tyburn*. He owned he was no match for the Noble Lord at his own weapons; he did not come down to the House with his pockets stuffed with pamphlets, with Mr. Woodfall's Reports in one hand, and his own common-place book in the other. The purpose, however, for which he rose was, to vindicate

* Lord Lauderdale, during the latter part of his speech, held an orange in his hand, with which he repeatedly moistened his mouth.

himself

himself from the charge of having insinuated blame against his Noble Friend, in the letter which he did himself the honour to write to him when in Dublin. That letter, his Lordship said, was written on the impulse of the most sincere friendship, from an anxious regard to the Noble Earl's honour, and with no view to insinuate blame, or make what has since happened inevitable; on the contrary, his aim was to render it agreeable to the Noble Earl not to quit his station. With regard to the Letter that he had recently published, his Lordship said, he had hoped the dulness of it would have saved it from animadversion; his sole object in writing it was, to state how unpleasant it was to his feelings to be made unwillingly the vehicle of invective against persons of high character and situation, for whom he entertained the utmost respect, and with whom he had the good fortune and happiness to live in habits of intimacy.

In reply to what Lord Lauderdale had said respecting his conduct previous to his coming from the castle of Dublin, and the letter alluded to, his Lordship said, the Noble Earl had totally mistaken the fact; that letter was written, not on account of the reason stated by the Noble Earl, but merely in relation to an appointment of a Noble Duke to the Lord Lieutenancy of a county, which rendered it incompatible for him to hold the viceroyship of Ireland any longer.

As to what the Noble Earl had said this day, as well as the Noble Duke who made the motion, that blame was imputable somewhere; and that ministers, by their declarations, that whenever discussion came they would not be found to blame, had laid a charge at the door of the Noble Earl; he really never had conceived that any charge had been made against him, nor did he think that any such charge had yet been made. Without a charge, inquiry would be idle; and therefore he should certainly vote against the motion.

The Earl of Lauderdale made a short reply, in which he said, that the Noble Lord might scatter his wit as much as he pleased; but no application of it, which he might chuse to make to what he said, should prevent him from stating his mind freely on a public topic discussed in that House: And as to whether he spoke from his common-place book, or from any thing else, he was glad to get information where he could find it. His Lordship again alluded to what had passed relative to the Earl of Carlisle's recal from Ireland, and the letter written to a Noble Friend of his by another Noble Lord then Secretary to the Noble Earl as Lieutenant.

Lord Hawkebury principally rose to say a word or two in respect to the allusion made by the Noble Earl (*Lauderdale*),
to

to a near and dear relation of his. The Noble Lord, he presumed, meant his son, when he mentioned a young Member, who was bringing up at the India Board, and had lately turned his attention to the study of military tactics. His Majesty had been graciously pleased to appoint his son a Commissioner of the Board of Controul; a circumstance neither discreditable to him, nor a fair ground of Parliamentary animadversion. Since the war began, his son had offered and obtained leave to raise a regiment, as other gentlemen had done; and he saw nothing in his so doing that was improper. With regard to what the Noble Earl seemed to think so absurd as to merit the height of ridicule, viz. his suggestion in the House of Commons, at a certain period of the present war, that it might be advisable in the allies to march directly to Paris; if Noble Lords considered that the idea was taken from a well-known historical fact, viz. that in one of the various wars in which France had been engaged, a General, at the head of an army, not equal to more than a third in number of the army of the Duke of Brunswick at the time the allusion was made, did actually march from Flanders up to Paris, and took it; the idea surely would not be thought quite so extravagant as it had been supposed to be. With regard to his son's reading on a variety of topics, he really saw no great fault in that; the more he endeavoured to extend his knowledge, and add to his general stock of science and information, the more laudably he should think he acted. With respect to the question, he would not at that late hour enter into the discussion of a subject, which he thought had already been discussed very sufficiently, especially by his Noble Friend the Secretary of State, who had considered it in every point of view in which it could well be placed, in one of the most able, masterly, and constitutional speeches that he had ever heard; he would therefore content himself with declaring, that he should vote against the motion, no charge having been made against the Noble Earl, and consequently there existing no ground for inquiry.

The Earl of Lauderdale desired the Noble Lord to rest assured, that what he had said of his near relation, was merely in allusion to matters of notoriety, and fit subjects of political allusion in debate; as a private individual, he knew not a gentleman, in the wide circle of his acquaintance, of more amiable manners, or who was better entitled to his respect and esteem.

The Marquis of Buckingham said, it was some years since he had been in the habit of addressing their Lordships on public subjects; and he rose rather to declare that he had formed an opinion on the subject of what had passed relative

to

to the recal of the Noble Earl, than to state the grounds of that opinion. With regard to the present motion, he should certainly vote against it; it was not only novel in its nature, but highly objectionable. Had his Majesty's ministers acted in any other manner than they had done, they would have been unworthy of their situations, and given countenance to an inquiry, not only wrong in itself, but which must have induced consequences dangerous to all governments. He lamented the proneness that Noble Lords indulged themselves in, with regard to the introduction of the names of individuals in debate, on whose conduct and characters they descanted with a degree of freedom and disregard of reserve, that betrayed a wanton levity, bordering upon illiberality. Surely, if Noble Lords would give themselves time to reflect on such conduct, and consider, that those at whom their random shafts were thrown were absent and unable to defend themselves, they would not feel it to be either manly or honourable. The Marquis said, he had been led into this observation, from having been that night a painful witness of the manner in which Mr. Beresford, whose name had been so unnecessarily mentioned, had been treated. When he went to Ireland some years since, and had the honour to represent his Majesty as Viceroy of that kingdom, he had no knowledge of Mr. Beresford: He found him there a servant of the Crown—and a more able servant, a more intelligent man, or a man who understood and cultivated the interests of Ireland with more zeal, ardour, and industry, was not to be pointed out in any office in his Majesty's dominions. He had experienced and profited by the labours of Mr. Beresford, and through his means had been enabled considerably to improve and increase the public revenue of that kingdom. As Mr. Beresford was a man of high honour and correct conduct in public, so was he amiable, friendly, and sincere in private life. Having felt the advantage of his public services, and enjoyed the pleasures of his private society, he should hold himself the meanest of mankind, if he did not take that opportunity of making that public acknowledgment in favour of his character, which was entitled to respect from men of all descriptions. Of Mr. Hamilton also, a very old and faithful servant of the Crown, he could with equal justice speak highly: Experienced in office, accommodating in his manners, no man afforded more general satisfaction to those who had occasion to transact business with him; acute, able, and discerning, he proved a most valuable assistant to Government in his public capacity; and the happy manner in which he conciliated and captivated

all who came to his office, smoothed the path and removed the obstacles that will unavoidably occur in all transactions of the nature of those in which his duty obliged him to be engaged, and gave facility and dispatch, where difficulty and delay would otherwise have been to be encountered. To return more immediately to the subjects in discussion, the Marquis said, it gave him great and serious anxiety and uneasiness, when he first saw the Letters which had been published under the name of the Noble Earl. No man had a higher opinion than he entertained of the honour of the Noble Earl, of his high character, and his many virtues; but he was persuaded, in his cooler moments, when the irritation of his feelings had subsided, and his mind was restored to that tone when calm reflection and unbiassed judgment could operate, the Noble Earl himself would see the impropriety of any man, in his high station in Ireland, having written such letters, and be sorry that they had been suffered to meet the public eye. There were certain topics within the knowledge of the confidential servants of the Crown, which should ever be kept locked in the breasts of those, whose official situation brought them within their knowledge: No provocation that could be stated, was sufficient to justify their exposure. But he would not proceed further on that point.

The Marquis then went into further reasoning on the different matters that had been touched on in the debate, and at length concluded with declaring, that he should give his vote against the motion.

Lord Auckland said, that he had come to the House that day, little disposed to call in question the particular exercise of the prerogative which made the object of the Noble Duke's motion, and with an opinion that it would be both unnecessary and irksome to enter into the discussion. Nothing had happened to make him alter this opinion. On the contrary, every speech and every speaker had combined to convince him, that the debate tended to no possible good end: It was of a nature, in all its bearings, either to give pain to private feelings, by bringing forwards the unpleasant and uncreditable disagreement of individuals; or to compromise the public interests by a disclosure of matters, which good sense, as well as solemn oaths, had consigned to secrecy, and which ought never to have been alluded to but with delicacy and reserve.

Some incidents, however, had occurred, which he would not suffer to pass without remark. A Noble Earl (*Lauderdale*), who had raked up every anecdote and every allusion that his ingenuity could introduce into a desultory debate, had thought
proper

proper to advert to a letter which he (Lord Auckland), when Chief Secretary in Ireland, had written in 1782 to the Marquis of Lansdown, on the subject of the Earl of Carlisle's recal. He would not inquire where the Noble Earl had obtained a copy of that letter; but certainly it contained nothing which he should be unwilling to avow, or unable to justify. The reason which decided him not to enter into a further discussion of it was, that he really could not comprehend how it was applicable in any manner to the present debate.

There was, however, another subject which came nearer to his feelings, and on which he could not remain silent. He concurred with his Noble Friend (Lord Grenville), in a wish to abstain from that levity and indelicacy with which the names of distinguished persons in Ireland had that day been brought forwards; still, however, it was impossible for him not to express what he felt on the mention of such men as Lord Fitzgibbon, Mr. Beresford, Mr. Hamilton, Mr. Cooke, and the Attorney and Solicitor General of Ireland: Men, with several of whom he had lived above fourteen years in habits of intimacy and correspondence: With some of them he had maintained as much affection and friendship as can subsist between brothers. When he had heard their names and characters so copiously and so familiarly discussed by the several speakers, it had repeatedly occurred to him, how little pertinent it would appear to the Noble Lords then present, if half a dozen of them should at any time be made the subjects of a feverish and flippant debate in Ireland.

With respect to Mr. Beresford, who had been more particularly adverted to, both in the debate, and in certain publications which had been made part of the debate; it was a circumstance of pride and pleasure to him, to declare that Mr. Beresford was his friend. He must be permitted to add his mite, to the handsome and eloquent testimonies which had been so repeatedly given to that Gentleman's character, in the course of the evening. Mr. Beresford, the son of a family equal in rank and antiquity to any family in either kingdom, had now completed his twenty-fifth year as Chief Commissioner of revenue. Any person so long exercising a responsible and elevated situation, must of course be subject to attacks resulting from the play of parties, and from political animosities. But all, who during the whole period had acted with Mr. Beresford, had that night vied with each other, in eagerness to do justice to his great and distinguished merits towards the Public. In his domestic and social life, he was remarkable for every solid and amiable virtue. In short, it might be

said of him, in words which he would borrow from a Noble Earl (Lord Lauderdale), "that every feature of his character gave the lie to any insinuation respecting him, that was not consistent with the strictest integrity and the nicest honour."

Lord Spencer said, that he had on a former occasion professed himself able to vindicate his own conduct, whenever this discussion should take place. Disagreeable, however, as were the imputations to which he must subject himself, he would rather, in the present instance, submit to forego inquiry, than consent to any disclosure inconsistent with the public interest. It had often happened, even during the short time that he had held the situation in which he had the honour to be placed, that he had been obliged to submit to matters extremely irksome to his private feelings; but as every man who accepted of office, accepted of it on the condition of suffering no personal invective or attack upon those most dear to him, to induce him to depart from the strict line of his duty, he would continue to hold his public duty superior to every other consideration. From what had been said that night, he thought it necessary to state, that ever since his entrance into office, so far from his having reason to complain of his treatment from ministers, he thought it incumbent on him to declare, that he had on all occasions experienced the most uniform, cordial, and honourable support from his colleagues in administration.

The Duke of Bedford observed, that there were four ministers present who had once acted with him in the cause of freedom. From their present conduct, he could not but deem the air of the Cabinet infectious. The new ministers had even outstripped their leaders in the career in which they were proceeding. There was in his opinion no danger in the present inquiry, but that it may disclose the duplicity and treachery of ministers. They should either accuse or justify the conduct of the Noble Earl. If this was to be refused, that House would lose the respect of the people.

[*The Earl of Morton called the Noble Duke to order.*] His Grace vindicated his right to suppose the consequences of a question not yet decided.

The Duke of Portland said, that in justice to himself and his colleagues, he felt himself called upon to say something, though it should but be a few words, on the present occasion. There were two points only to which he would advert; first, he did not consider the occasion to be so important as to call for any inquiry; secondly, he did not think that any charge had been brought against his Noble Friend (Earl Fitzwilliam),
for

for he should still call him so, which rendered investigation necessary for his exculpation. No charge had in fact been brought against him, and the whole rested on a mere difference of opinion.

The House divided on the motion,

Contents	-	-	-	21	}	25
Proxies	-	-	-	4		
Not-Contents	-	-	-	83	}	100
Proxies	-	-	-	17		
Majority against the Motion	-	-	-	-		75

Adjourned at half an hour past one.

✧ By an accident the following Speech was neglected to be inserted in its proper place: It should have followed the conclusion of the Speech of the Earl of Westmorland in page 168.

The Marquis Townshend rose, to discharge a debt of justice to Mr. Beresford, of whom he could truly say, that when he was in Ireland, and at that time he was not connected with the gentleman by relationship, he knew of no man more zealous, active, and earnest in the service of Government, nor of one who was more disinterested, for he had looked always with a steady eye to the promotion of the revenue, and had been chargeable with no jobs, unless an attention to his own interests and those of his family, which was and ought to be paid by every man who entered into the service of the Crown in both countries, or indeed who was in the service of Government in any country, could be deemed a blameable job.

PROTEST.

Die Veneris, 8^o Maii, 1795.

“ The Order of the Day being read for the Lords to be summoned—

“ Moved, That an humble Address be presented to his Majesty, that he will be graciously pleased to direct that there be laid before this House, such part of the correspondence between his Majesty's ministers and Earl Fitzwilliam, late Lord Lieutenant of Ireland, as relates to the motives and grounds of his recal from the government of the said kingdom, during a session of Parliament, in which the two Houses of Parliament had voted their confidence in him, and of their approbation of his conduct, and with a munificence unexampled, had granted supplies for the general exigencies of the state.

“ Which

" Which being objected to, after a long debate, the question was put thereupon:

<i>Contents</i>	-	-	21	}	25
<i>Proxies</i>	-	-	4		
<i>Not-Contents</i>	-	-	83	}	100
<i>Proxies</i>	-	-	17		

" Resolved in the negative.

' DISSENTIENT,

" 1. Because the removal, in the midst of a session of Parliament, of such an officer of the Crown, as a Lord Lieutenant of Ireland, the immediate and sole representative of Majesty in that kingdom, under the circumstances, is singular, perhaps unprecedented. The effects of that bold and unusual measure, especially in the present critical state of affairs, cannot be indifferent. It is a fact notorious, and not contradicted, that the House of Lords and House of Commons in that kingdom, did at the moment of his recal, directly and explicitly, in a solemn vote and resolution of each House, declare their confidence in the Lord Lieutenant. It is a fact equally notorious, and equally uncontradicted, that these votes of confidence from both Houses of the Irish Parliament were in perfect conformity to the opinions and wishes of all descriptions of the people of that nation.

" 2. Because a strong charge of malversation in office, supported by clear proof or strong presumption, ought to be produced to weigh against those solemn testimonies of a Parliament, and those declared opinions of a people, and to justify a proceeding, the inevitable tendency of which is to produce dissatisfaction and discord amongst his Majesty's subjects in that kingdom. That the proceeding itself is within the prerogative, there is no doubt; but there is no doubt also that this House is competent to an inquiry into all advice given to the Crown with regard to the use of that prerogative; and that it is its duty to make such inquiry in any event by which his Majesty's honour or interest, or the tranquillity, concord, and union of his empire, and its common effort against its common enemy, may be effected.

" 3. Because, as the Peers are bound for their own honour to examine with a more strict scrutiny into the conduct, and to animadvert with greater severity on the misdemeanors of those of their own body, so they owe a peculiar protection to such Peers, as, on inquiry, they shall find, in the exercise of the high prerogatives of the Crown, to have demeaned themselves uncorruptly, to the satisfaction of the people, with a diligent attention

tention to the functions of their charge, and with duty, zeal, and fidelity to their Sovereign.

" 4. Because Earl Fitzwilliam, the Lord Lieutenant, removed in so unprecedented a manner, did voluntarily solicit in this House the production of all such documents, as might furnish matter for a full and impartial inquiry into his conduct; that as the case might appear, he might subject himself to the animadversion, or entitle himself to the protection of this House. No valid reasons for secrecy have been alleged. Delinquency is no proper object of secrecy on the one side or the other: Nor can any depending measure of Government be affected by a disclosure of that delinquency. The act is executed. If these vague general allegations of secrecy may be urged to prevent inquiry, Peers may be affected with suspicions utterly ruinous to their reputation with regard to the matters of highest trust, without any possibility of clearing themselves.

" 5. Because it appeared in the course of the debate, without any attempt to contradict it, that the Earl aforesaid did actively and effectually promote the service of the Crown, and the public interest in Ireland, by encouraging through all fitting means, and discouraging by none, the zeal and affection to his Majesty of his Parliament of Ireland; by obtaining without delay, and with great unanimity, a vote of more than forty thousand men; by which the internal force of that kingdom was more than doubled; and by obtaining also a vote of two hundred thousand pounds for the better manning the navy of Great Britain—the first vote of the kind in the present war, and double to the sole example of the supply of the same kind, voted in the Irish Parliament in the year 1782, as an acknowledgment of the vast and important concessions in legislation, commerce, and judicature, then made by the Parliament of Great Britain; both those supplies to the service of Great Britain, were moved by Mr. Grattan, confidence in whom, has been imputed as blame to Earl Fitzwilliam; though, in the debate nothing was alleged to shew that this distinguished person, called to his confidence and councils, had ever, during Lord Fitzwilliam's government, made any other use of the estimation in which he is held in his country, than to perform this, and other similar services to his Majesty's Government; and to reconcile the minds of his fellow-subjects of that kingdom, to bear the burdens brought on by these services with cheerfulness, and to co-operate with alacrity and unanimity in every means of giving them their full effect.

" 6. Because it does not appear that the Earl in question, during his administration in Ireland, did in any degree, or in
any

any manner, subvert, impair, or weaken any one of the legal prerogatives of the Crown, or abuse them to the prejudice of the subject, in any instance whatsoever. That in the arrangements proposed with regard to office, either in removals or appointments, it does not appear that the efficacy of his Majesty's Government, or the popularity of his Majesty's measures, were at all impaired; or the unanimity and harmony of the nation disturbed; or the confidence in his Majesty's Government, as administered by him, in any degree whatsoever, lessened. To the great objects of Government all official arrangements ought to be subservient; and by their effects on those objects it is to be determined whether the discretionary powers with regard to official arrangements necessarily invested in his Majesty's ministers, have been in any instance properly or improperly employed.

" 7. Because the unanimity and zeal in his Majesty's service, which appeared throughout that kingdom, was owing to the hope held out that such arrangements as the late Lord Lieutenant proposed, would take place, namely, such as tended to demonstrate that those in whom the nation reposed much confidence, had obtained the confidence of his Majesty's chief Governor, and that those who had the misfortune not to obtain the public confidence, or at least not to obtain it in the same degree, were not to be predominant in the efficient offices in the kingdom.

" 8. That it did not appear in the debate, that incapable or obnoxious men, or men of no lead or importance in their country, and therefore unqualified for rendering effectual service to his Majesty, were the objects of choice in those arrangements.

" 9. Because it did not appear in the debate, that any harsh or vindictive spirit was manifested in any proposed removals: As the most large and liberal consideration was observed to the dignity, the feelings, and the interests of the parties concerned.

" 10. Because it did not appear in the debate that this provision was considered in the light of a corrupt and prodigal bargain; but that the people at large regarded it in a contrary light: It appears, that the estimation of that Government was rather increased than impaired by the whole of those intended measures: And it is asserted and supported by abundant proof, that the defeat of those arrangements, with all their consequences, has excited a considerable discontent amongst the people of Ireland.

" 11. Because the persons who, on account of their general estimation in their country, were taken into the confidence of the

the late Lord Lieutenant, had, previously to his government, given the most striking and unequivocal proofs of their attachment to Great Britain, of their power of subduing all their own private feelings; and of sacrificing to his Majesty's service no small part even of their known animosities upon public differences, by supporting, out of office and out of confidence with the then rulers, the cause of British Government in a very marked and distinguished manner.

" 12. Because it appeared in the debate, that one of the matters of discussion between his Majesty's confidential servants in England and the said Lord Lieutenant, had arisen on occasion of a Bill intended to be introduced into the Parliament of Ireland by Mr. Grattan, "*For the further relief of his Majesty's Catholic subjects in that kingdom.*" Of subjects to be agitated in the Parliament of that kingdom, this House can take no cognizance; but they may take cognizance of the conduct of a British Peer, Member of this House, and representing his Majesty, for his conduct in his Majesty's service, in any part of his dominions. If the late Lord Lieutenant gave countenance to any measure repugnant to that service, and in defiance to that authority, and positive instructions given by his Majesty's ministers here, it forms a matter of constitutional discussion in this House.—Upon that point Earl Fitzwilliam has alleged, that he is ready to put himself upon the judgment of this House; for he contends, that the motion for leave to bring in such a Bill (which he admits to have been made at his express desire) did not afford cause of alarm or apprehension in any manner whatever. He contends, that the principle of such a Bill was highly conformable to other former proceedings known to be countenanced by his Majesty's ministers; nor does it appear by any thing alleged in the debate, that the countenance understood to be given by the late Lord Lieutenant for a further relief, could be a just ground for his removal; when a recommendation from the Throne itself, by his predecessor the Earl of Westmorland, in the year 1793, for advantages of infinitely greater extent, that is to say, a general capacity for all offices and franchises (about thirty offices, and seats in Parliament only excepted) has been made matter of merit.

" 13. Because it appears for several years past to have been the policy of his Majesty's British Councils with regard to Ireland, and of the Parliament of that kingdom, to remove the several civil restraints which had been made in consequence of religious differences; for all offices had been opened to Protestant Dissenters, without any limitation whatever, by the repeal of the test in that kingdom, in the year 1779, 19 and 20

of his Majesty, chap. vi. From those Dissenters no test whatever was exacted, in lieu of that from which they were exonerated. But for the Catholics, by an Act of the 13th and 14th of his present Majesty, chap. xxxiv. a test oath was proposed, for ascertaining the allegiance and fidelity of Catholics, as such. About four years after, that is, in the year 1777-8, 17th and 18th of George III. chap. xlix. in consequence of this oath, a strong legislative declaration was made, in which the principle, which had been gradually followed up by subsequent Acts, is strongly and decidedly affirmed; for the preamble of that Act, after stating certain penalties and incapacities under which the Catholics did then labour, thus proceeds: "Whereas, from their uniform peaceable behaviour for a long series of years, it appears reasonable and expedient to relax the same; and it must tend, not only to the cultivation and improvement of this kingdom, but to the *prosperity and strength of ALL his Majesty's dominions*, that his subjects of ALL denominations should enjoy the *benefits of our free constitution, and should be bound to each other by mutual interest and mutual affection.*" Soon after, that is, in the 21st and 22d of his present Majesty, chap. xxiv. it was again declared, that the Catholics, on taking the test oath aforesaid, "ought to be considered as good and loyal subjects to his Majesty, his Crown, and Government; and that the continuance of the laws formerly enacted, and then in force, against persons of the Popish religion, are therefore unnecessary, in respect to those who have taken or shall take the said oath, and is injurious to the real welfare and prosperity of the kingdom of Ireland." Nothing can be more clearly laid down than the principle upon which the several acts of relief from the first year of relaxation, virtually beginning so early as the year 1773, twenty years before the passing the large Capacitating Act of the year 1793, was grounded, namely, the recognized allegiance, and reciprocal right to protection, held out upon taking this and other test oaths. It was plain that the policy of the Legislature was, to affirm the principle as largely as possible, and to make the capacities follow (as they have practically followed) gradually, according as favourable occasions should offer. These Acts have always been understood to have emanated originally from his Majesty's gracious disposition, and to have proceeded to the government of Ireland, through the British Cabinet. If these tests could not be deemed a security in the reserved cases, it is impossible to assign a reason why they were deemed a security in the hundreds of others, to which a capacity was opened by the Act of 1793. The incapacitating reserves in the Act of 1793, like those of the former Acts, proceeding (though more slowly) upon the same

same declared policy, evidently were not made upon their own declared principle. They were made in the regular progress of a system of enlargement, in order to compromise with the spirit of monopoly. But, it is asserted by Earl Fitzwilliam, and nothing without inquiry can effectually contradict the assertion, that, whilst in reality the restrictions gave satisfaction to none, they caused discontent in many.—The Protestants regarded these exceptions with total indifference.—The Catholics looked on them as signs of suspicion and degradation: They considered them as marks (contrary to the declared policy of the Acts) contrived to be set upon them by their enemies, to distinguish them as bad subjects and bad citizens. The proceedings of their enemies leave in their minds no doubt, that these tokens of reprobation are kept as pretexts for affronts, contumelies, and injuries of all kinds; and for practically depriving them of most of the benefits of those capacities which the law seemed to hold out to them.

“ 14. Because it is alleged, that a Bill for further relief was publicly known, as likely to be in agitation before the departure of the Lord Lieutenant from England; that he had no instruction whatever directly to oppose it, though an opinion was expressed, that it had better be delayed for a time of greater tranquillity; but the expediency of giving support to it was a matter left to his discretion, as, in the nature of things, it necessarily would be, on any subject, the principle of which was admitted, the fitness of the time being the only point of doubt, and which could only be decided by existing circumstances.

“ 15. Because it is offered in proof, that the late Lord Lieutenant was diligent in the search, and prompt in the communication to ministers of every information on the subject. That he soon found, that all hope of putting off the question was impracticable—that he had reason to think the present time, for carrying the principles of the Acts of 1792 and 1793 to their full object, to be, of all others, most favourable—that he found the relief to be ardently desired by the Catholics; to be asked for by very many Protestants, and to be cheerfully acquiesced in by almost all—that this circumstance removed the difficulties, on which the postponing the question could alone be desired—that he found the delays had created much suspicion and uneasiness amongst the Catholic petitioners, who were numerous almost beyond all example—that he found a Bill on those petitions would infallibly and speedily be brought into Parliament, and that many Members were desirous to introduce it; and, if this were the case, the measure might come into hands with which neither he nor the King's ministers

had any connexion, which would leave with Government only the disagreeable part of altering or of modifying, if any alteration or modification had been thought necessary by the British Government, depriving his Majesty thereby of the whole grace and effect of what was done: That in this unpleasant situation he sent for Mr. Grattan, and desired him, as a person in his confidence, and who would act on the occasion according to what he and the ministers, in their prudence, might suggest. That Mr. Grattan did consent, and did, at his desire, move for leave to bring in a Bill for the further relief of the Roman Catholics. That the *motion for leave* was received with little discussion, and without any division. That *no bill on the subject was in fact brought in*—and that ministry were informed, that none would be brought in without their knowledge: Nor until of late, and after Lord Fitzwilliam's departure, was such a thing attempted. That the then Lord Lieutenant communicated largely all his ideas on the subject. That whilst the proposed Bill was not yet introduced into the House of Commons, and whilst he was obeying their instructions, with regard to informations and opinions, he was suddenly removed, with the strongest marks of displeasure and disgrace. That on this state of things, no sufficient reason appears to exist, in this measure, any more than in the business of arrangements, for the unusual and alarming step of disgracing a Lord Lieutenant in the middle of a session of Parliament, in which the business of his Majesty, and of the whole empire (as far as that kingdom could operate in it) was carried on with unusual unanimity and success, and with a very great concurrence without doors of all orders and descriptions of men. It is a step for which, on the debate, nothing was said to make it appear justifiable, and to render an inquiry concerning it unnecessary.

“PONSONBY.

“FITZWILLIAM.”

“And the said Earl Fitzwilliam, moreover protesting for himself, and on his own part, declares, that this House refusing such necessary investigation, he doth conceive and feel himself injured and oppressed, as a British subject, as a Peer of Great Britain, and as a person who has exercised an high and very responsible trust under his Majesty. That he is not content merely to prove his innocence—that he was, and is, ready to make it appear to the House, and to his country, that in that trust he has acted faithfully, zealously, affectionately, dutifully, and diligently towards his Sovereign—that he has acted with attention and practicality towards his colleagues in office—that he has acted with an enlightened regard to the
true

true interests of the nation, which, under his Majesty's authority, he was appointed to govern. That he stands upon the merit of his measures, and the prudence of his arrangements: That by them confidence was recovered to Government. That he stands, for the justice and the policy of removing the few, feeble, miserable, inefficacious, but invidious restrictions, that remain on the Catholics of Ireland, as wholly useless for any good purpose, but powerful in causing discontent, both with regard to Government and to Parliament; as furnishing handles of oppression to the malevolent, and as supplying prettexts for disorders to the turbulent and seditious. That he should have shewn a degree of incapacity, wholly to unfit him for his arduous trust, if he had acted on an idea, that the politics of this time, or that the present or probable future interests of states, do at all depend upon questions, whether of doctrine or discipline, either as agitated between Catholics and Protestants, or as agitated by Protestants amongst their several subdivisions. The church and state have enemies very different, and infinitely more formidable, than any which have their origin in any religious parties. He has for some time been persuaded, but most clearly so since he went to Ireland, that by good management the dangerous principles and tempers of the times, which have another and more recent origin, may be kept from taking root either in the church of Ireland, there happily established; or in the Presbyterian church, in communion with that of Scotland; or in the church of the old natives of Ireland, communicating with that of Rome; or in any other religious sect whatever; but that through intemperate, vexatious, corrupt, or oppressive conduct, every one of these descriptions may be infected with this evil, in greater or lesser degree of extent and malignity, according to the degree of oppression or indifferetion, with which they are severally treated. He was, and is, convinced, that the best mode of resisting this reigning danger, either from within or from without, is not to be found in a plan for reviving, by art and influence, prejudices and heart-burnings expired, or ready to expire, or of sowing the seeds of eternal discord and division between the people. During his government he had nothing to complain of the dispositions of any religious description as such; and his principles of government led him to cultivate the union which he plainly saw of itself commencing between them. It was his constant endeavour, by every means, to combine the minds of every sort of men, churchmen, Presbyterians, and Catholics, of every the least proportion of education, talent, influence, or property, in affection to their common Sovereign; to
combine

combine them in one bond of common interest, and in one common effort against our common enemies, the known enemies of all religion, all law, all order, and all property. He has had the happiness of seeing all this completely accomplished. An unexampled concord amongst the people; an unexampled zeal for the support of the Crown had taken place: But he is not responsible for the effects of a system, which proceeds in a contrary direction to that which he pursued; he is not responsible for the effects of a system which supports men in whom the Public has little confidence, and contumeliously rejects the service of those who have obtained the good opinion of their country—a system which endeavours to supply a comparative defect of ability, by an unmeasured increase of influence—a system which rejects the opinion and information of persons in high and responsible situations, and listens to the interested representations of subordinate office—a system, which, inverting the whole order of things, introduces anarchy into the very seat of Government, by publicly and avowedly supporting the instruments against the agent—a system, which, finding the body of the people disposed to look to the Crown as their security against oppression from domestic factions, employs all its influence, power, and authority, to support those very factions against the people who fly for refuge to the Crown. For the opposite system he has suffered the unparalleled mark of displeasure which has been shewn to him. He is willing to suffer more, rather than abandon it. He will remember, with a warm and lasting gratitude, and a cordial attachment, the weighty persons in Parliament, and all the respectable bodies and individuals by whom he was generously encouraged, and honourably supported in a different plan of government, from that which derives its support from the corruption of one part of the people, and the depression of the other.

“ FITZWILLIAM.”

HOUSE OF COMMONS.

FRIDAY, *May 8.*

HIGH PRICE OF PROVISIONS.

Mr. Jekyll said, that for several days he attended in that House for the purpose of asking an ostensible minister a question on a subject of great importance, but he had not been so fortunate as to find such a minister in the House; now that he saw one, he should put the question, and wished he

he might have a satisfactory answer. The matter it referred to was of a very serious and alarming nature—he meant the cause of the present very high price of provisions. The poor were starving in many parts of this country; already the dreadful effects of that situation of the poor had shewn themselves, as appeared from accounts from different parts of the eastern and the northern coasts. Insurrections had taken place, and the military had been called out to quell them, but they had joined the populace. He understood that inquiries had been made into the cause of this scarcity of provisions, and he wished to know what the result was of these inquiries. He wished to know whether the scarcity was real or artificial. If real, it became the duty of the Executive Government to provide some relief to the poor. If artificial, it became the duty of the Executive Government to interfere, and by means of its law officers enforce more effectually the laws against forestalling and regrating. In either case, therefore, the Executive Government ought to make diligent inquiry, and apply any remedy that was possible to an evil of such magnitude and importance. He believed there were instances of Committees of that House being appointed to inquire into the price of provisions, and to report their opinions thereon, but he did not know that much benefit had resulted from such measures, as they had been carried; perhaps something more might be done hereafter upon that subject. All he wished to know at present was, whether the cause of the evil he mentioned had been ascertained, and he now wished the Secretary of State to inform him, whether the scarcity of provisions in this country was real or artificial?

Mr. Secretary Dundas said, that the Executive Government had by no means been inattentive to this subject, but the House must be aware of the great inconvenience that must necessarily follow a discussion of it at that time in that place. He begged the Hon. Gentleman to rest assured, that upon the subject of scarcity of provisions there had been a great deal of misrepresentation and exaggeration industriously circulated. But he must beg again that the subject might not be discussed at present, on account of the great inconvenience that might follow. If any artificial scarcity be at any time apprehended, he knew of nothing more likely to promote it than discussions of that nature.

THE PRINCE OF WALES'S DEBTS.

Mr. Hussy said, he wished to know, for the government of his own conduct, what course of proceeding the minister intended to take on Monday, after the Call of the House.

The

The Chancellor of the Exchequer said, it was his wish to proceed on Monday on the subject of his Majesty's Message; there were, however, some papers to be laid before the House, which could not be ready before that time, but which would be ready then. It was his intention to move for a Committee on the subject of the Message, and in that Committee he intended to propose an additional annual income to the Prince of Wales. Any application of that kind should be referred to a subsequent stage of the proceeding, and might come by way of instruction to a Committee on the Bill. It was his intention to propose a secret Committee, to take into consideration the circumstances and the amount of the incumbrances of his Royal Highness. The measure which he should bring forward on Monday, was only to propose an additional income for his Royal Highness, and such as, perhaps, the House would not have thought proper to withhold, even if the Prince was unincumbered. Then would follow the consideration of means for applying that income in such a way as would most conduce to the ease and comfort of his Royal Highness, without which the liberality of Parliament might be ineffectual.

Mr. Hussey said, he meant to bring forward a proposition for raising a fund to effectuate all the purposes recommended in his Majesty's Message. He meant to propose a sale of the forest lands of this country; or, at least, a sufficient quantity of them to answer the purposes expressed in the Message, and also to prevent the necessity of adding so frequently to the burdens of the people; as well as for laying some foundation for the provision and support of the distressed part of the inhabitants of this country. He threw this out then merely that the thing might be considered; he said nothing in favour of it; he meant it for the consideration of that House, and for the consideration of the Public. If he found any strong and good objections to it, of course he should not persist; otherwise he should certainly bring it forward.

The Chancellor of the Exchequer said, that the subject which the Hon. General had alluded to was one which could not regularly be discussed then. But he could not help saying, that in his opinion, when it came to be discussed, the House would find insuperable objections to it. At least, taken in the last view of the Hon. Gentleman, a provision for the people by means of present relief, it was wholly inadequate.

Mr. Hussey said, he expressed himself exceedingly ill, if he said any thing about present relief to the Public. He meant to lay a foundation for future support.

Mr.

Mr. Dundas moved for leave to bring in a Bill for allowing the East India Company, for a time to be limited, to import merchandize in bottoms not British built.—Granted.

Mr. Foddrell moved that the Dead Body Bill be read a second time on Friday next.—Ordered.

The House, in a Committee of Supply, voted several resolutions, and ordered them to be received on Monday.

Adjourned to Monday.

HOUSE OF COMMONS.

MONDAY, May 11.

The Chancellor of the Exchequer stated, that understanding that the Speaker was extremely indisposed, he should propose that the House adjourn till Wednesday, and that the consideration of his Majesty's Message relative to a provision for his Royal Highness the Prince of Wales be postponed till that day.

Mr. Jekyll expressed the regret which he, in common with every Member of the House, felt on account of the occasion which rendered their adjournment necessary. (This sentiment was received with a general burst of feeling from every quarter of the House.) This being the case, he should propose to postpone his motion respecting the recall of Earl Fitzwilliam, which stood for the next day till Tuesday se'nnight; but as the Right Hon. Gentleman (*Mr. Dundas*) had given notice of his intention to bring forward the India Budget on that day, he hoped he would now defer it till Thursday.

Mr. Jekyll afterwards got up, and said, that in the present state of the Speaker's indisposition, he considered Wednesday as too early a day, and should therefore propose that the House adjourn till Thursday. (A cry of Thursday, Thursday, from all parts of the House.)

The Speaker said, he felt himself extremely obliged by the degree of anxiety and interest respecting his indisposition, which was expressed from all sides of the House. Indisposed as he was, he had hoped that he should have been able to go through his duty to-day; but finding that impossible, he trusted he should be well enough to attend in his place on Thursday.

The House then adjourned to Thursday.

HOUSE OF LORDS.

TUESDAY, May 12.

FIELD MARSHAL CONWAY'S BILL FOR A PROLONGATION OF HIS PATENT FOR SAVING FUEL IN THE OPERATION OF MANY IMPORTANT MANUFACTURES.

The Earl of Guildford moved that the Bill for a prolongation of Field Marshal Conway's Patent, be committed to a Committee of the whole House.

Lord Auckland said, that he had summoned their Lordships from motives of candour, and that the Bill in question, which he meant to oppose, might have every support which the general sense of the House might incline to give to it. Undoubtedly it would be decided on its own merits, and without any reference to personal considerations. Still, however, he must be permitted to say, that it was painful to him to resist a proposition interesting to a most respectable individual, who had been known to him through life, and who was distinguished by every virtue and by every quality that could conciliate the good-will of mankind. But under the circumstances which he should point out to their Lordships, it was impossible for him, with any consistency or decorum, to do otherwise.

Towards the close of the last session, a Bill had passed through the House of Commons to prolong to Messrs. Kendrew and Porthouse, a patent for an invention. Those persons were ingenious manufacturers, established in the North of England, and much esteemed in their line of life. They had personally applied to him, when their Bill was brought to the House of Lords, and had various claims on every support that he could with propriety give to them. Seven years only of their patent had expired, and the Bill sent from the Commons granted an additional term of ten years. Messrs. Kendrew and Porthouse, after conferring with several Lords on the subject, found that a majority of the Peers then generally attendant on the business of the House, was strongly indisposed to these prolongations, and he (Lord Auckland) decidedly told them that he was one of the number. On this information they withdrew their Bill, after several weeks attendance, with a great loss of time and a considerable expence. As he should be sorry to conceal any circumstance, he would here observe, that some manufacturers of Lancashire had presented petitions against the Bill of Messrs. Kendrew and Porthouse, alleging that their invention was not new and original; but they had offered to establish their invention.

vention by evidence before the Committee, and had since maintained their claim to it by a trial at law before a special jury.

Having seen with concern the disappointment and loss of two ingenious and industrious men, he now asked himself, he must now ask the House, whether there is any consideration affecting the Bill of Marshal Conway, which ought to induce their Lordships to give a different fate to it. The principles of 1795 must be the same as the principles of 1794: And if the resemblance between the two cases were less glaring than it seemed to be, still the House would be solicitous not to shew facilities to a person of great rank and fortune in a point of trade (for this was no other), which facilities had been denied to a private manufacturer.

Be the result what it might, he would discharge what he conceived to be his duty: He would state his objections to the Bill: He would not urge them with warmth or pertinacity: He would afterwards leave the matter to others, and would not recur to it in the further stages of the Bill.

His chief objection was to the principle of the Bill, and might be well and clearly stated by a selection from different clauses of the Bill itself. "Whereas this invention will be attended with many beneficial consequences to the Public, as thereby the expence of the whole, or the greatest part of the fuel used in those processes to which the said invention is applicable, will be effectually saved."—"And whereas the Public at large will (unless restricted) be entitled to use and exercise the said invention, which will be a great prejudice to the said Henry Seymour Conway."—"Be it enacted, that no other person except the said Henry Seymour Conway, shall at any time during the term of twenty years, either directly or indirectly, use, or put in practice, the said invention or any part of the same." These words give a true and faithful description of all Bills for prolonging monopolies, and of their nature and tendency. Their object is, and can only be in a greater or less degree, to take from the Public the enjoyment of an invention which is alleged to be useful to the Public. The invention is locked up; the advanced price confines the application of it; but it is locked up only against this country—in the mean time it is published, and left at liberty to operate against us in every rival nation.

It might be said that the same reasoning would extend against every original patent, and to a certain degree this was true. But the Act of the 21st James I. which legalized patents for inventions, had limited them to fourteen years as a sufficient sacrifice in favour of ingenuity. Besides, the original

patents are founded on a sort of compact between the Public and the original inventor: The former obtains a full possession of the secret, which could not in many cases be otherwise obtained with any certainty, and stipulates in return to give the monopoly for the period prescribed by the statute. Perhaps, even in these cases, it would be better for the community if some other mode of recompence could be given.

It was true that in the last twenty years, seven or eight patents had been prolonged by Act of Parliament. Lord Auckland stated them, and argued that they were all distinguishable from the present case: If, however, they had gone the full length of Marshal Conway's claim, he should still insist that they were proofs of too much facility in Parliament, and that the decision of 1794 was the decision proper to be abided by. The dilemma in all the cases is this: If the invention is good, it will be amply compensated by the monopoly of fourteen years, and therefore ought not to be extended; if it is not good, it ought not to have an extraordinary encouragement. The dilemma is still stronger in another shape: If the invention is not good, it is an imposition on the Public to give a Parliamentary sanction to it; if it is good, it is already the vested and eventual property of the Public at the end of the first fourteen years, and it is an injury and detriment to the Public to resume it.

Sir Richard Arkwright had tried in vain during two years (1782 and 1783), to obtain a short prolongation of the patents for his very valuable inventions. It was successfully resisted by several petitions on the ground that "such a Bill would give stability to a monopoly prejudicial to the manufactures and commerce of the country, by leaving to all other kingdoms the unlimited use of machines, which would in England alone be thereby confined to the arbitrary disposal of one man only."

It remained only to advert to the particular Bill before the House. It stated no specific ground or claim of favour: A specific ground had been stated by Messrs. Kendrew and Porthouse, but was not suffered to be gone into. It came forwards within eight months of the expiration of the patent; and when, if the invention is so useful as it is alleged to be, many persons may have made preparations at a great expence to avail themselves of it. The Bill is liable to a peculiar objection on the part of Scotland: The patent for that country was not passed till five years after the English patent: Its legality then is at least doubtful; and yet the Bill in question extends to Scotland the same as to England.

He

He would once more ask, on what ground of consistency or decency could their Lordships distinguish this case from the case of Kendrew and Porthouse? Every point of difference between the two Bills was in favour of the manufacturers, and decidedly against the Field Marshal. Seven years only of Kendrew's patent were elapsed; fourteen years of Marshal Conway's: The former asked only ten years additional term; the latter asked twenty years.

It was not his wish to lay too serious a stress on a question so limited in its immediate importance and bearings: It had, however, been repeatedly said in the late debates, it had been forcibly and justly said, that the salvation of this country, and eventually of the whole social system in Europe, depends on the respect of the people for Parliament. He thanked God, that amidst the trials and calamities of the times, the two Houses possess, and in his conscience he thought that they deserved the full and cordial confidence of their country. It was his wish that the same sentiment should remain unimpaired; he had no other object.

Lord Harrowby declared, on the part of the Honourable and respectable Person interested in the Bill, that he was far from desiring that any personal considerations for him should in the smallest degree influence their Lordships' decisions, respecting either the principle or clauses of the Bill. That Hon. Gentleman wished the merits of his application to the Legislature, in this instance, to be fairly and impartially discussed, and was prepared cheerfully to submit to its decision, confident that it would not reject his application upon slight and trivial grounds. Lord Harrowby having done Marshal Conway this justice, said, he must differ from the Noble Lord who had assigned his reasons for objecting to the Bill. He regarded the Bill in a very different view, and did not admit that all the Noble Lord's reasons could fairly be urged as objections. Let their Lordships candidly consider the nature of the case; an invention is discovered, which all who have tried it, agree to be a most valuable one, because in the highest degree useful to various important processes of manufacture; from the nature of the invention, its becoming a matter of general adoption was neither probable nor practicable. It necessarily requires time before it can be brought into operation, and it is attended with considerable expence in the outset; two circumstances that of themselves throw a difficulty in its way. Convinced of its utility, the inventor spares no expence respecting it, and just on the expiration of his patent, finds himself some thousands out of pocket. That being the state of the fact, would any one of their Lordships say,

say, that the present application for a prolongation of the patent was unreasonable, and that the House's concurring with the House of Commons in granting it, was to be considered in any other light than as a matter of justice? The object of granting a patent for a new invention, was twofold, to remunerate the inventor for his ingenuity, and to obtain the knowledge of the invention for the use and advantage of the Public. The first being the ground of application, it was generally presumed that by the time the patent expired, the inventor would have derived an adequate reward. In the present case, as he had stated to their Lordships, the inventor had not only failed in obtaining a reward, but not having been reimbursed his expences, would be a considerable loser, if the Bill did not pass. His Lordship said, it somewhat surprised him to hear the Noble Lord mention what had passed in the case of the application for a prolongation of a patent last session, which had been rejected. He owned he had not expected to hear that urged as a ground of objection on the present occasion, because the circumstances of the two cases were by no means analogous, but widely different. The patent respecting which a Bill had been brought before their Lordships last year, had seven years unexpired, and various petitions were presented against it; whereas there was no petition presented against the present Bill, but there were many recommendations of the merit and utility of the invention. His Lordship added other reasons in its support.

The Lord Chancellor left the woollack, and began a very intelligent and informing speech on the subject, with observing that it was always an unpleasant thing, where business, which had been expected to come on earlier in the day, was delayed to a later hour * than it had been imagined it would be protracted to, to rise and enter into reasons against a Bill of a sort generally considered as a matter to be looked at favourably with respect to the party interested. His duty, however, obliged him to state what weighed in his mind, as insuperable reasons against the present Bill, and indeed as strong grounds of objection against all extension of patent rights; and those reasons he would state on the present occasion as shortly as possible. Towards the end of the reign of Elizabeth, and in the commencement of the reign of James the First, great numbers of patents were granted by the Crown, till the abuse became so notorious that it provoked an inquiry in the House

* The House had been sitting in a Committee of Privileges, to hear the evidence and arguments on the claim to the Barony of Chandos, till past five o'clock.

of Commons. In the course of the investigation there, it was found that so many patents had passed the Great Seal, and that the power of granting them had been so much abused, that one Member stood up in his place, and gravely asked to see the patent for *making bread*. When the Member was told, that after due search, the patent for making bread could not be found, he expressed his surprise how it could possibly happen, when the art of making almost every thing was secured to some individual or other by patent, that of making bread could possibly have escaped. The consequence of the inquiry was, that a Bill was immediately brought in to take away from the Crown the right of granting patents, but which reserved to the Legislature the right of granting patents for fourteen years, for such new discoveries and inventions as were real, and promised to prove useful; but the condition of every grant of a patent under the Bill was, the inventor was to give in a specification of the nature and principles of his invention, on oath. That Bill passed the Legislature, and was the Act of James the First, under the authority of which the present application was made. Having stated this history of the origin of the statute, his Lordship proceeded to notice the instances of patents prolonged within the last five-and-twenty years; and first he mentioned that of Messrs. Watt and Boulton, for the construction of a new steam engine, in 1769. To understand the grounds on which this prolongation of a patent obtained, it was necessary that their Lordships should be apprized of the circumstances which led to it—they were these: Mr. Watt, the original inventor of the steam engine, was a man of talents and of great mathematical science; but, as many men of superior genius were, he was poor. He had not therefore the money in his power, that was necessary to carry his invention into execution. He looked about, therefore, for persons of sufficient means to assist him, and connected himself with a man, extremely plausible, who pretended to have great interest with the coal-owners, and to possess a large capital; but in the end, he found he had been perfectly deluded by that person, as he had neither the fortune nor the interest that he had persuaded Mr. Watt to believe he had. The man was at last obliged to decamp, and the whole time of the patent had been wasted and thrown away. Mr. Watt then applied for a prolongation of his patent in his own name and that of Mr. Boulton, a gentleman well known to their Lordships, and indeed to most men, and who had a capital and the necessary connexions to enable him to carry Mr. Watt's invention into immediate execution. On full proof of these facts, the patent was renewed; but it would have been far better for the Public to have given

given Mr. Watt a remuneration for his ingenuity, to any extent, even 50,000*l.* than that the patent should have been renewed; and he would state the reason why he made that assertion: After the patent had been prolonged, a discovery was made, that the principle of the steam engine might be applied, with less heavy work, and at considerably less expence. The person who made this discovery, went to a distant county, in hopes of making some advantage of it. He there was employed by the miners, and several engines on the new light construction were set up in different mines. This had not long obtained, ere Mr. Boulton heard of it, and applied to the Court of Chancery (where all questions relative to patents are litigated) for an injunction to stop the further working of the engines in Cornwall, as they were so many invasions of his patent: The fact being so, the Court was obliged to shut up all the mines in which these light steam engines had been erected, to the great loss and injury of the owners and the Public.

His Lordship next mentioned the grounds on which the patents had been renewed and prolonged to Mr. Hartley for his iron plates to houses in 1777; to the Earl of Dundonald, for making coal-tar varnish, vegetable alkali, &c. in 1785, and Mr. Turner for a yellow colour; from whence it appeared, that there were cogent reasons alleged, and proved, in each particular case, sufficient to take them out of the ordinary line of application for the renewal and extension of patents. He reminded the House of the principle on which all patents were granted, and the condition of the bargain which the patentee made with the Public, as the compensation for being permitted to hold the sole monopoly of his invention, for fourteen years. The patentee, in the first instance, must apply for a patent for some invention that was actually and *bona fide* new and undiscovered before, or at least not before put in practice; he must also give in a specification, on oath, of the principles of his invention, which was lodged in the proper office, and where any person might obtain a copy of it for a shilling. If it afterwards turned out that it was not a *new* invention, but had been before adopted, the patent was null and void to all intents and purposes. His Lordship mentioned a case of a patent being of late years rendered null and declared void, which was discussed before him in the Court of Chancery. It was the case of Mr. Argand's lamp. Mr. Argand obtained a patent for that invention, and after it had passed, it was proved that a lamp of an ingenious structure had been some time since brought from Paris, where it was much talked of as a curious invention; it fell into the hands of Mr. Magellan, a
foreign

foreign gentleman, a man of ingenuity, and with a particular turn for mechanics; he took it to a brazier's in Piccadilly, and asked him if he thought he could make one like it? The man said he would try, and it was left with him, and he made one; adding, by Mr. Magellan's directions, a tube of glass to confine the flame, and convey the smoke. Mr. Magellan had no idea of making any profit or advantage by it, but the tradesman was so pleased with his work, that he made others, three in all, and sold them. When this was found out, they were made in common, and Mr. Argand applied for an injunction to the Court of Chancery; but on an investigation of the circumstances, the patent was declared null and void. Indeed it was impossible to do otherwise, because, although it was shewn that the original lamp brought from Paris, was itself invented by Mr. Argand, yet as it was proved, that a tradesman in London had made one, and sold it openly in a public shop, before the patent was obtained, Mr. Argand's invention was not, at the time that the patent passed, new in this country. His Lordship assured the House, that he spoke the serious conviction of his mind, when he declared that if they passed this Bill, he thought they could never refuse another application of the kind; it would be wise, therefore, to bring in a Bill to repeal the Act of James the First at once, and grant patents in the manner in which it had been usual for the Crown to grant them before the statute became a law; because it would be safer to trust to the discretion and prudence of the Attorney General, the Law Officers, and the Great Seal, who held a responsibility for what they did, and would not rashly or unadvisedly put the great seal to a patent, than thus loosely, and as a matter of course, prolong patents, and fraudulently deprive the Public of their undoubted right to the use of every invention after the fourteen years had expired for which the patent was granted. With regard to the second patent, that for Scotland, his Lordship said, he was clearly of opinion that the patent was illegal; because it commenced five years after the patent for England had passed, whereas they ought to have run an equal race, and started together, else how could that be deemed a *new* invention in the Scotch patent, a specification of the principles of which had lain in the office for five years, and a copy of it might have been had for a shilling? After some further arguments, to shew that it was essential to all patents that an invention should be new, and in proof that nothing had been made out in the present case, to warrant the House in countenancing the prolongation in question, his Lordship concluded with declaring that he should feel himself obliged to vote against the commitment of the Bill.

The Duke of Richmond agreed with his Noble Friend who

had spoken second in the debate, that it was by no means the wish of the individual immediately interested in the Bill, to have any thing done with it contrary to the sense of their Lordships, from any personal consideration to him. His Grace said, he supposed that every invention for which a patent was applied for, rested on its own merits, and it must be allowed that the merits of one invention were necessarily extremely different from those of others. The invention which was the subject of the present Bill, was of great importance and great public advantage. It had cost the patentee, in the process of it, an immense sum, the whole of which he was as yet out of pocket. Patents had been granted undoubtedly for inventions of infinitely less importance and advantage to the Public. Mr. Boulton, for instance, who was known to be a very able man in particular branches of mechanics, had obtained a patent for making a spring to a buckle, which certainly was ingenious, but extremely trifling and insignificant in point of importance and utility, compared with the invention under their Lordships consideration, one great object of which, among a variety of others, was to convert coal into coke, which coke sold for more when made, than the coal from which it was made cost originally. Another matter to be considered was, a long process must be gone through before the patentee could derive any profit, large ovens were to be built, various registers to be constructed, and much time must consequently be spent, and considerable expences incurred, before any return could be obtained. The case was very different with many other inventions for which patents had been granted. With respect to Mr. Boulton's spring to a buckle, when the Bill for his patent had received the royal assent, the invention was upon sale, and returned a profit next day. With regard to the importance of this invention, his Grace said it was self-evident, and had been acknowledged wherever it was tried. One was at work at Brentford, in a very extensive manufactory, which had been greatly admired for its principle. Another had been adopted at Chelsea Water-works. It was true it had been left off, but not from any fault that was found with the engine, but for other and very different reasons. With regard to the objections stated by the Noble Lord who opened the debate, the argument of that Noble Lord, and of the Noble and Learned Lord on the woollack, went the length of declaring that the House ought in no possible case whatever to interfere in favour of patentees. As to what had fallen from the Noble and Learned Lord on the woollack, relative to what happened before him in Chancery, respecting Argand's lamp, he did not presume to differ on points of law from such high authority, but

but he could not think the decree given in that case was quite necessary, because the lamp which the Noble and Learned Lord had stated to have been brought from Paris, was likewise of Argand's invention, and the principle was not explained till the specification was delivered in upon oath under the patent. Nor could he on the sudden agree, that the patent for Scotland, on the subject of the invention protected by the Bill before their Lordships, was illegal. If that were so clearly the case, as the Noble and Learned Lord seemed to imagine, it struck him that it would have been discovered before; but that circumstance might be inquired into in the Committee, and the facts as to the utility of the invention, the amount of the money expended by the Field Marshal, and the loss sustained, be established and proved.

Lord Hawkebury said he would confine himself to one point; he felt it his duty to oppose the Bill, but on no other principle than that general one on which he opposed every patent Bill in the first instance. He thought them mischievous in the extreme, because they damped and checked the industry of the English subjects, at the same time that they benefited foreign countries, Scotland, and Ireland, from the moment that they passed. The only restriction they imposed was on the people of this island. The bad policy of such a principle was obvious. His Lordship said, applications had often been made to him at the Board at which he had the honour to sit, to beg him to suppress the specifications of the principles of inventions, and keep them secret. The people of Birmingham, in particular, had frequently applied, and said the making the specification accessible, operated in favour of foreign artists, and was peculiarly injurious to them. The lawyers had uniformly given their opinion, that the specifications could not be suppressed, because, if that were the case, it would be impossible to decide upon any trials of questions that arose upon allegations of invasions of the patent rights of any man who had obtained a patent for his invention or discovery. While therefore the copy of a specification could be obtained for a shilling, the evils he had stated against the industry of this country, would continue; and therefore, as a friend to the arts, and to English ingenuity, he should hold it wise, and matter of sound policy, to put an end to any further grants of patents, and on that principle he should feel it his duty to oppose the Bill.

The Earl of Guildford observed, that the Noble Lord who spoke last had kept his word, and confined himself to a general objection to the principle of all patents. That, however, he conceived was not the question before their Lordships; they were to consider, as matters stood at present, whether, in the particular instance under consideration, the patent might

be prolonged, under the circumstances that were stated, and would be proved and established in a Committee? It mattered not, in fact, to the present Bill, whether the principles laid down by the Noble Lord who spoke last, were right or not. He would ask the Noble Lord who opened the debate, whether he really apprehended that any commercial mischief would result from locking up the present invention in the hands of the inventor? With regard to the Scotch patent being illegal, that might be inquired into in the Committee; but he should scarcely think that the Attorney General, and the other law officers of the Crown, and the Lord Chancellor, would have suffered the great seal to have been put to an illegal patent.

The Earl of Carlisle said, he would take up a very few minutes of their Lordships time. The only argument that had fallen from a Noble and Learned Lord that had received no answer was, if the House passed the present Bill, their Lordships would be insurmountably hampered whenever another application for the extension of a patent came before them; and had in fact better repeal the Act of James the First at once, and trust to the Attorney and Solicitor General and Keeper of the Great Seal, who were, and would be, responsible for all the patents they put the great seal to. *The Earl* said, he could answer this argument by declaring, that wherever it could be made out that an invention was of essential service to the Public, and that the patentee had not been remunerated, but, on the contrary, had been considerably out of pocket; he would uniformly consent to a prolongation of his patent. A circumstance peculiarly in favour of the present application, in his judgment, was, that it was just on the eve of expiring. He thought, where a patent had seven or more years to run, and the patentee applied to have it prolonged, on the ground that he feared he should be a loser at the end of the first fourteen years (as had been the case with the prolongation of the term of a patent applied for and rejected last session); it was fair to say, You are premature in your conclusion—it may turn out otherwise—at least, we will not grant your application, till the fact be better ascertained. In the present instance, the patent was within a few months of its expiration; and the fact, that the patentee was a considerable loser, could be established, as a matter not of mere speculation and chance, but as a certainty unquestionable. Lord Carlisle also called on Lord Auckland, to know whether he really thought any commercial mischief would be the consequence of prolonging the patent of the Field Marshal, in the manner applied for under the present Bill.

Lord Auckland replied, that he could not adopt the idea of the Noble Lord (*Lord Harrowby*), who had spoken first in answer

answer to him, and had argued it to be a favourable circumstance in the present case, that the patent was in the fourteenth year, and nearly expiring: He continued to think, that the nearer the Public were arrived to the enjoyment of what was to become public property, the more cautious should be the Legislature in consenting to postpone a beneficial right. On the other hand, he did not insist, as a Noble Duke (the Duke of Richmond) seemed to attribute to him or to the Chancellor, that the House should in no possible case interfere in favour of patentees. Special cases might exist: But he had not heard of any special circumstances in the present case.

The two Noble Earls (Lords Guildford and Carlisle) had called on him to say, whether he really apprehended that any commercial mischief could result from locking up the present invention in the hands of the inventor? He was not prepared to say that there could. But he conceived that much commercial mischief might result from a bad precedent, which would open the door to every application on the slightest grounds. Upon the whole, he must take the sense of the House; because he wished to mark his decided opinion against a measure which he could not reconcile to his sense of law, justice, policy, commercial expediency, consistency, and decorum.

The Lord Chancellor left the woollack, not, he said, certainly to enter again into argument, but to ask leave to change the motion, which was, as it stood at present, "that the Bill be committed to a Committee of the whole House;" whereas, he found that the usual practice with all such Bills was, "that they be committed."

On the question the House divided,

<i>Contents</i>	-	-	31
<i>Not-Contents</i>	-	-	3
<i>Majority</i>			28

HOUSE OF COMMONS.

THURSDAY, May 14.

The Speaker having taken the chair, took the earliest opportunity of returning thanks to the House, for the indulgence which had been shewn to him on Monday, on account of his indisposition; and expressed his regret that he should have been the accidental cause of any delay in the progress of public business.

Mr. Whitbread gave notice, that he should at some future day, move for leave to bring in a Bill for the purpose of regulating

lating a mode of obtaining returns from parish officers, so as to ascertain the quantity of grain which shall have been sown in the kingdom at Midsummer next.

Mr. East moved, that the Bill for preventing the removal of poor persons until they shall become actually chargeable, be taken into further consideration on Monday next.—Ordered.

TRADE TO AND FROM INDIA.

Mr. Secretary Dundas said, that in consequence of the number of ships British built, now in the service of Government, which before had been in the India trade, it was necessary some measures should be speedily adopted to supply the defects on this head; he would therefore move, That the House do resolve itself into a Committee of the whole House, to take the same into consideration.

The House resolved itself accordingly, when a resolution to the following effect passed the Committee, "That it is the opinion of this Committee, that goods be imported and exported to and from India and China in certain ships not British built."

TROOPS FROM THE CONTINENT.

Colonel Maitland moved, That there be laid before the House an account of the number of effective men belonging to the infantry last returned into this country, as far as the return can be made up.—Ordered.

HIS MAJESTY'S MESSAGE ON THE PRINCE OF WALES'S ESTABLISHMENT, &c.

The Chancellor of the Exchequer moved the Order of the Day for taking into consideration the Message from his Majesty, relative to the establishment of their Royal Highnesses the Prince and Princess of Wales, and to the liquidation of the debts of the Prince.

Mr. Hussy moved, that the seventeen Reports of the Commissioners appointed to inquire into, consider, and report on the state of the forest and other lands belonging to the Crown, be referred to the Committee upon this message.

The Chancellor of the Exchequer said, he did not mean to discuss the subject of the disposition of these lands at that time. He must, nevertheless, object to this motion, as he saw no necessary connexion between that subject and the one about to be submitted to the consideration of the House, which was an establishment for his Royal Highness the Prince of Wales. These two objects were surely of importance sufficient to call for separate and distinct considerations.

Mr.

Mr. Hussey referred to the Act of Parliament of the first of Queen Anne, chap. vii. which being read, he observed, that such was the sense of the country one hundred years ago in respect to the aid of the civil list, and it proved the subject of the forest and Crown lands, and that of provision for all the branches of the Royal Family of this country, to be closely connected. Out of these lands a revenue might be had, not only for the purpose of maintaining the establishment of the Prince of Wales, but also of alleviating the burdens of the people. Eight years ago the Committee had made a report upon the subject of these lands, and he was of opinion they ought to be sold; therefore he had moved that these Reports should be referred to the Committee on his Majesty's Message, as worthy of the most serious consideration. These lands had never produced above 6000*l.* a year, although they might be improved to the amount of 400,000*l.* a year. On that account this appeared to him to be a proper fund for the purposes above mentioned, and therefore he wished the matter to be referred to a Committee. He wished to have an establishment for the Prince, and a relief from his embarrassments, obtained in an handsome way, without burdening the people, and he saw none that was so likely to do so, and at the same time relieve the people of some of their burdens, as this of the sale of the Crown lands. As a ground to establish what he said, he wished to refer to these Reports, and the House to judge of them. If he was stopped *in limine*, the fault was not his. If the House and the Public were of opinion that these lands should remain as they are, he must be satisfied. He had done his duty in bringing the subject forward, and he wished to say nothing more upon the subject.

[*Mr. Burdon* and *Mr. Duncombe* interrupted *Mr. Hussey* in the course of his speaking, with a question as to his object in wishing to have the Reports referred to the Committee: His explanation is given in the above account of his speech.]

The Chancellor of the Exchequer assured the Hon. Gentleman (*Mr. Hussey*) that for his part he had not the smallest objection to letting the Crown lands, &c. go to the benefit of the Public; but as he could not possibly see any natural or necessary connexion between the Hon. Gentleman's motion and the King's Message, he would oppose it. In the consideration of the latter, two things were to be attended to, namely, the establishment of the Prince's household, and his present immense embarrassments, none of which the plan suggested would at present promote or remedy. The Hon. Gentleman has said, that he wished not to burden the people; but would the
taking

taking away the forest lands from them be not a burden? If cultivated, he has also said, that they would annually produce a considerable sum, without considering that such income is merely contingent and remote. If, then, this be the case, the liquidation of the debt is not likely to receive any immediate succour from such sale or improvement, and it must be derived from some other channel. As to the Act of the first of Anne, he denied that it could be deduced from it that the forests, &c. were subject to be made liable to supply the deficiency of the civil list; and if the House would go to alienate them, they would do wrong. In consequence of the management of Crown lands, different Bills have from time to time been brought into the House, all of which were of very important consideration. The structure of our navy ought to be ever the primary consideration of the House when this subject comes before it, and whenever that should happen, he thought it ought to be in a separate Committee.

Mr. Fox admitted that he might perhaps be prejudiced upon this subject, in consequence of the share he had taken in some discussions upon it, and the opinions he had then delivered. From the statute of Queen Anne it was clear that these lands were applicable to the making a provision for the Royal Family. Something additional, he supposed, was intended to be given to the Prince of Wales; and if so, it behoved the House, in a moment of exigency like the present, to look at the resources of the country, and in that view he thought the Reports in question ought to be examined. If it should be more convenient to raise this additional income, and perhaps in some degree to relieve the Public, by the alienation of the Crown lands, he thought they should be alienated. He was convinced that a landed estate for the King of Great Britain was in no way a beneficial estate for the people; for it tended to increase an influence already too great, namely, the influence of the Crown. Under all the views in which he saw the subject, he was led to agree to this motion.

Mr. East declared himself sorry that the motion had been made, because it tended to bring on a discussion which was not before the House. They had not yet said that they would look into the incumbrances of his Royal Highness, and therefore to agree to any motion that went to appropriate a fund for the discharge of them was improper. If the House should agree to inquire into the incumbrances he mentioned, they should examine them deeply, and look at them over and over again before they came to any determination upon them. He was therefore against this motion,

Mr.

Mr. Fox begged it to be understood that he did not mean to consider the House as pledged to do any thing with regard to the incumbrances of his Royal Highness; that would be matter for future consideration. He had said a few words with regard to the additional income of his Royal Highness, because he never heard any Member yet say, he thought it would be improper.

Mr. Grey was against the motion. The question that night was to be what, under the circumstances of the country, would be fit to grant to his Royal Highness? When the incumbrances came before the House, this motion would be proper; but it was not so in his opinion in the present stage of the proceeding.

Mr. Ryder said, that the motion of the Hon. Gentleman (*Mr. Hussey*) might as well be introduced in any other Committee, and was entirely against its being considered collaterally with the King's Message.

Mr. William Smith interrogated *Mr. Pitt* as to a word that had fallen from him in the course of the conversation.

Mr. Martin approved of the principle of the motion, and hoped it would be brought forward at a future time.

Mr. M. Robinson agreed that there was no connexion between the Reports and the subject of the Prince of Wales's establishment and debts; but still he would support *Mr. Hussey's* motion, because he thought it a proper measure abstracted from the present question.

Mr. Burdon said a few words.

Colonel Macleod wished the Public to reflect that the Chancellor of the Exchequer had been minister of this country, and had lost to the Public upon one article the difference between 6000*l.* and 400,000*l.* a year; for if the Crown lands might be made to produce that sum, the minister must have neglected his duty in not making them produce it.

The motion was then negatived.

The question being put for going into a Committee,

Mr. Mainwaring desired to know of the Chancellor of the Exchequer what the House would be pledged to if it consented to the Speaker leaving the chair.—There were two points to be considered, as he understood: The establishment, and the incumbrances of his Royal Highness. He wished to know if the House would be pledged to go into both, if the Committee was agreed to, or whether Members could say, "We will go thus far, but no farther?"—He said, he asked this, because he had not made up his mind upon the subject.

The Chancellor of the Exchequer conceived, that the motion itself was an answer to the Hon. Gentleman's question. The

Committee was to take his Majesty's Message into consideration, and then every Gentleman would take what share he pleased in the discussion.

The question being put and carried, the House resolved itself into a Committee of the whole House. Mr. Steele, in the chair, having read his Majesty's Message,

The Chancellor of the Exchequer said, that the object recommended in his Majesty's Message had already been the subject of some observation that day. He was persuaded that if he could completely separate one part of the subject from the other, as he thought eventually he must do, in the vote he should propose, he would meet the unanimous wish of the House. Upon one part of it he flattered himself there would hardly be a difference of sentiment; as the general object was one in which they were all united. He was persuaded, while he looked at the power of the public purse, and while he considered that he was to apply for an establishment to be settled on the Prince of Wales, after the happy event of his union with a Princess of the House of Brunswick; when he reflected on the blessings the nation had continued to enjoy under that illustrious family, of which this Princess was a branch, that there was but one general sentiment felt by Englishmen, and that they would be unanimous in their determination to support the dignity and splendour of the Prince and his Royal consort. This was a disposition which would arise out of the sentiment, he had almost said the instinct, of the people of this country, and he was assured, that any application that was made to support the splendour of the House of Brunswick would never be unsuccessful. That House had on every occasion shewn its readiness to protect the principles of true liberty, and to have always in view the real happiness of its subjects. He must lay it down as a general ground resulting from reflection on the history of past ages, as well as from a consideration of many recent circumstances, that in the days in which they lived, it was the immediate interest of every description of the people to support the strength, to maintain the honour and necessary dignity and splendour, not only of the British monarchy, but also of every branch of the Royal Family. What we gave to them for these purposes, we gave in reality to ourselves. This he did not mean to be done by a profligate waste of the public treasure, but by a prudent use of it; and in allowing an handsome share of the property of the nation for such a purpose, they had always been amply repaid by the security it gave them for a continuance of those blessings they enjoyed under that system of government, the centre of which was monarchy—a system, which,

which, notwithstanding all the idle theories of modern pretenders, and all the attempts that had been made to bring it into disrepute, comprised in it all that they had seen, not only of dignity and force, but also of protection to liberty, and every thing that could be esteemed most valuable in a well-regulated state. These were considerations which, he was sure, would guide the vote of the House, on the question of the establishment to be made for their Royal Highnesses the Prince and Princess of Wales.

If that were the only question to be brought before the House, he should have confined the vote which he had to propose to what, according to his view of the subject, came distinctly within that principle. But, while he was aware of that being desirable, he was bound in candour to say that he had other topics to bring forward much less agreeable to his own feelings. These topics, however, he should keep as separate and distinct as possible from the other question. For that reason he should not that day propose any provision to be voted for the discharge of the incumbrances of his Royal Highness. It was his duty however to state the circumstances of these incumbrances. He wished to God he could do otherwise. It would be more to his satisfaction, more to the satisfaction of every man in that House, and he believed more to the satisfaction of every man in this country, that the part to which he alluded could have been avoided; but since it unfortunately existed, the same sentiments which their duty and their inclination led them to agree to support the splendour of the Throne by an establishment, led them all to wish that incumbrances should not be permitted to affect its credit; and however they might lament it, yet their loyalty to the Throne, and their regard for its interests, which was inseparable from their own, called upon them to look at these incumbrances, and to see that they should not affect too deeply the ease of the Heir Apparent.

He proceeded to state his own view of the whole subject, and each of its branches in its order. First, as to the happy event of the marriage of his Royal Highness, which met the wishes of all the Members of the House, and on which they had already expressed their joy; in consequence there must be an additional establishment. Next came to be defrayed the expence attending the ceremony of the marriage, and then the expence of completing the building of Carlton House, as a residence for their Royal Highnesses. With respect to the expence of the marriage, or of the furnishing and building of Carlton House, they would not be objects for the present Committee, and therefore he should not propose any resolution upon

that subject. The only object before them was, a grant of a sum of money for the establishment, as had been done in a former instance, and a jointure to her Royal Highness. This being opened to the Committee, he should proceed to the incumbrances of the Prince, and to state the principle on which he rested the whole proceeding. Whatever might be the amount of the vote of the House for the establishment, he was clearly of opinion that some measure should be adopted to relieve his Royal Highness from his present embarrassment. He did not nevertheless mean to call on the present Committee to consider the extent of these incumbrances. The first point, and the only one he intended to propose a vote for in the motion with which he should conclude, was that of an establishment for the Prince and his illustrious consort. In considering this, he desired the Committee to ask themselves what they thought they ought to grant to their Royal Highnesses in their present situation. The income of the Prince was already 60,000*l.* a year, exclusive of the Duchy of Cornwall, the produce and revenues of which amounted to about 13,000*l.* per annum.—It was difficult to form a precise calculation on the expence which necessarily attends the dignity of the Heir Apparent to the Throne, but in forming their thoughts upon that subject, it was natural to look back on what had been allowed to former Princes of Wales. Fifty years ago, the present Prince's grandfather possessed a net income of 100,000*l.* per annum, in addition to the Duchy of Cornwall. Eighty years ago, his great-grandfather, the then Prince of Wales, possessed 100,000*l.* without the Duchy of Cornwall. If Gentlemen would look at these establishments, they would see that his present Royal Highness ought to have a considerable addition to his income, even supposing that he was not at all incumbered with debt. Let the Committee therefore consider what they thought was absolutely necessary for him; and in considering this they would naturally reflect on the great difference in the price of all the articles of life; they must be aware that the expences of every description of men, from the highest to the lowest, were much advanced; they would in consequence find that neither luxury, dignity, or even ease or comfort could be at present procured, in a degree adequate to what had been enjoyed in the times he had alluded to without an advance in the income, to at least a fourth of the whole. If he erred in his calculation, it was from being rather below than above the mark. He therefore proposed, that the income of his Royal Highness should be 125,000*l.* per annum, exclusive of the Duchy of Cornwall, which was 25,000*l.* a year more than was enjoyed 50 years ago. He thought he might rest there that part of the question; for surely this was not more than

than the Committee would be disposed to allow to a Prince of Wales on the event of marriage, which they all approved of, and rejoiced in. This being the only vote he had to propose, the rest he should only state in the nature of a notice, of what regulations were intended to be made hereafter. The preparations for the marriage would be about 27,000*l.* or 28,000*l.* for jewels and plate, which greatly exceeded the expence, but the excess would go to the outstanding debts; and 25,000*l.* for finishing Carlton House, the accounts of which were laid upon the table, and they might be brought into discussion when the whole amount of the debts should come before them for their distinct consideration. The jointure of the Princess of Wales he proposed to be 50,000*l.* a year, being no more than had been granted on a similar occasion.

This was all he thought necessary to say on the first branch of the subject; but although he meant to propose nothing more at present, he would state to the Committee the amount of the debts of his Royal Highness, which was between 600,000*l.* and 700,000*l.* according to the most accurate accounts he had had an opportunity of seeing; to speak more precisely, they were according to these accounts from 620,000*l.* to 630,000*l.* up to the last April quarter. He had no reason to suppose that there existed any other debts of his Royal Highness, *where he is the principal debtor*. There were some in which he was security for his illustrious brothers. He had the satisfaction to state to the Committee, that from the meritorious exertions of these two illustrious characters, such debts were put into a train of liquidation, and in a course of punctual discharge, that he had no reason to apprehend they would become a burden to them or to the Public, and therefore he did not consider these as any part of the debts of his Royal Highness, for which it would be necessary to make any legislative provision, as they were provided for already by the laudable determination of their Royal Highnesses. The future consideration of the House would be, whether the debts of his Royal Highness were brought into a shape and mode that would enable them to form some plan with a view of freeing his Royal Highness from the present effect of his incumbrances. When they should be so, the House would have to consider of the mode of relieving him; that was not however the subject of that night's discussion, and before he stated an opinion upon that topic, he was desirous of collecting the sense of the House as to the mode of proceeding. He was convinced that, before the House should take any step towards the liquidation of these debts, they would feel that they ought to be clearly stated for accurate investigation, both with regard to their
nature

nature and extent. He proposed a Secret Committee of the House for that purpose. But if it was the desire of any considerable number of Members of the House that the whole should afterwards be submitted to a Committee of the whole House, he saw no objection to it; at the same time he should submit to the House the impression which that part of the subject made upon him. He did not conceive it would be possible that the inquiry of a Committee could be finally sufficient for all purposes; because, if there was to be an examination into these debts in detail for the purpose of proving that many of them will admit of no defalcation, then there must be a general inquiry, and an inquiry in detail, and that could not be brought within the compass of the present session. In that view of the subject, nothing but a Committee armed with Parliamentary power, to examine upon oath all evidences necessary to substantiate any claims, would be satisfactory to the House or to the Public, and therefore it was clear there must in that event be some legislative provision upon the subject. If any considerable number of Gentlemen wished, nevertheless, to have a Secret Committee as a preliminary step, he was far from having any objection, but he wished to have that point settled one way or other, or both; for on the determination of it would rest the mode which he should propose for the liquidation of the debts. Whatever mode should be adopted, it was necessary that regard should be had to a provision against contracting debts in future; this was necessary, as well from affection to every branch of the Royal Family, as from attention to the interests of the Public; and he trusted there would be found no man in that House, who would feel that he had discharged his duty to the Public, or to what he felt to be the general interest of the Royal Family, if he gave his Royal Highness an additional income, and should shut his eyes to the effect of these incumbrances. They would desert the material part that was essential to the splendour of the Heir Apparent, and to the interests of the country at large, if they left his Royal Highness insecure from what he must be exposed to in consequence of his incumbrances; for whatever the liberality of Parliament might be, whatever sacrifices his Royal Highness might be disposed to make, they could not be effectual without the assistance of a positive legislative provision as to the mode of liquidating the debts.—The next consideration was as to the mode in which this provision was to be made. Would the House say they would leave his Royal Highness to arrange these things after they had granted him the additional allowance? Upon that point he confessed he was not prepared to go that length. The case was so unfortunately circum-

stanced,

stanced, that they could not do any thing that was wholly satisfactory. If they cut off the splendour of the Royal Family under the idea of doing it for public purposes, they would injure the real interests of the Public. If they went the length of removing these incumbrances at once, they would then set a bad example, and impress the Public with an idea that his Royal Highness had been wholly free from indiscretion, in the manner he had brought himself into this situation. This would be holding out an instance of excess and prodigality, which would be very injurious to the character of their proceedings, and at the same time holding out a bad lesson to his successors. The situation of the House enabled them only to make a comparison of evils. They must, by looking at the past, endeavour to provide for the future. The great difficulty was to reconcile present interest with future security. This was a subject which called for the wisdom, the patriotism, and the loyalty of Parliament. But in his opinion they would do but little if they did not counteract the possibility of any such evil appearing in future. It was necessary, in his opinion, for Parliament to mark the sense they had of the mode in which his Royal Highness brought himself under his present embarrassment, and in that view it would be proper that the liquidation of the debt should in some measure be a tax on the affluence of his Royal Highness. In a future stage, therefore, of the proceeding, he should propose certain provisions to be made for the liquidation of these debts out of the Duchy of Cornwall and the other income of his Royal Highness; that for a limited time certain parts of such income be vested in the hands of commissioners, to discharge the whole debt, with interest at four per cent. except such as bore legal interest at five per cent. For this purpose he proposed that 25,000*l.* a year should be set apart. This plan would discharge the whole debt in about *seven and twenty years*. He was aware, that in twenty-seven years it was likely that there should be a demise of his Royal Highness as Prince of Wales. In that event 25,000*l.* would be charged annually on the hereditary succession of the Prince of Wales. But in the event of the demise of the Crown and of his Royal Highness as Prince of Wales, before the expiration of the twenty-seven years, the charge would become a burden on the consolidated fund, and consequently be borne by the Public: An event against which it was not practicable to make any provision.

He had endeavoured to apply the principle which he had already stated as well as he could, namely, that of maintaining the splendour of his Royal Highness, and of guarding against such an evil as the present in future; it was for the

Com-

Committee to judge whether it was a right principle, and whether these provisions should be made at all, and he hoped they would take the whole into their most serious consideration; but if any Gentleman had any other plan to offer that would accomplish the end better, he should be glad to hear him propose it. Without providing for these debts, so as to make it impossible for them to increase, all the wishes of the House might be disappointed, and without stating something of this kind he could not expect the concurrence of the House in what he had to propose. He would go further; he would admit that these points should be provided for in the most rigid manner; for the House could not, after what had happened, be expected to rest on any general assurances. There were two principal heads to be attended to in this case. The one was the faithful punctual payment of the debt already contracted. The other, that no further debt should be contracted: The latter of which was to be guarded against, by making it impossible for such credit to be obtained again. With this view he should propose to insert in the Bill a clause of the same nature as that which was inserted in that excellent and memorable Act which was framed by a Right Hon. Gentleman (Mr. Burke) who unfortunately was not at the present time a Member of the House—That it should be impossible for any part of the expenditure to exceed the estimate—That no arrear should, under any pretence, go beyond the quarter—That debts not claimed then should wholly lapse—That debts thus claimed should be punctually paid, but no other. These points being settled, he should propose, that Carlton House should be invested in the Crown for ever, and the furniture be deemed, under the legal phrase, to pass as heirs-loom.—Finally, that no suit for the recovery of any debt should be instituted against his Royal Highness; but that they should all be against his officers, who shall be responsible for the whole power and authority which they shall have in the conduct and management of his affairs. He considered it to be an essential part of their present object, that, when this business was arranged, no such subject should ever come for discussion again, for he considered it to be a most painful, as well as a most anxious discussion. Nothing short of this would go the length which the Public had a right to expect from that House, whose duty it was to satisfy its constituents. He felt this impression with double weight, as a Member of Parliament, and from the situation in which he stood as Chancellor of the Exchequer; in both which characters he wished neither to add unnecessarily to the burdens of the Public, nor from any weak regard to his own feelings neglect to bring forward a measure in which their interests

interests and happiness were so materially connected. He was not aware it was necessary for him to say any more than to express his readiness to explain any thing that he might have left imperfect, if called upon for explanation. He wished, however, to learn whether the House desired that there should be a Secret Committee to examine the debts, or that they would leave the whole matter to be finally settled under a legislative provision. The Chancellor of the Exchequer concluded with moving, "That his Majesty be enabled to appropriate 65,000*l.* annually, from the 10th of October 1794, towards providing for the establishment of his Royal Highness the Prince of Wales."

Mr. Grey said, that he had on a former evening occasion to express the painful sensations with which he entered upon this subject. The motion offered for the concurrence of the House, was of such a nature, that it was scarcely possible for any one who held a seat there with a due regard to his duty, to hear it without strict attention and serious concern: He, for his part, could not refrain from answering what had fallen from the Right Hon. Gentleman; for, however divided they might be on general political topics, all must, on this occasion, feel the sentiments that must necessarily arise in good minds upon it, and feeling them, should not shrink from, but meet the question face to face, however painful the effort might be. It was indeed, as the Right Hon. Gentleman had truly said, a case pregnant with difficulty, for it involved many most important considerations, of so opposite a nature, that they directly clashed with each other. There could be in that House but one wish to make a suitable and liberal provision for his Royal Highness the Prince of Wales, the Heir Apparent to the Crown. There might further be a hope and desire, by liberality and indulgence on the present occasion, to conciliate his feelings, to inspire him with affection and confidence, and cement the bond of union between him and that people, whom at a future period he might be called to govern. This was the inducement held out to them to make the required provision, and if duly answered in effect, certainly should have weight; and it was the duty of the House, by all proper means, to promote so very desirable an end. But there was a more severe duty, a duty which they owed the Public, which the nature of the occasion imposed in a time of unparalleled distress, such as the present, not to drain the people and vote away their money to be squandered in unpardonable prodigality. It was a duty also, which they owed to the Prince himself, to teach him, if reflection had not taught him, that as his family were called to the Throne for the

good of the people, so his situation was created not merely for the purposes of luxury and indulgence, but in subservience to that great end; and that though they were bound in turn to consult his comfort and enjoyment, that the obligation on their part ceased, if these became his sole objects; and that in consequence of the provision made for the support of his rank out of the pocket of the Public, thousands ought to bless his munificence and bounty, as thousands had cause already to lament his extravagance and folly.

Mr. Grey said, he did not mean on the present occasion to charge the Right Hon. Gentleman (Mr. Pitt) with having done any thing which his duty did not require. The discussion was attended with difficulties to both parties. On the one hand it was not desirable for the minister, after having repeatedly called upon the people in the course of the session, to contribute to such an extent to the support of the war, to bring forward any fresh burdens. Neither was it desirable for them, who had uniformly opposed his measures, by concurring in the present motion, to share in the unpopularity which must inevitably attend such a proposition. On the other hand, he was fully aware that by any opposition, they subjected themselves to the suspicion of disrespect to the Royal Family, and to the unpleasant consequence of that misrepresentation, which would be so eagerly circulated through all the channels of courtly influence. Personal considerations however ought to give way to paramount obligations; he was, therefore, determined to speak plainly; if he should be so unfortunate as to create offence, he would at least have the consolation to have done his duty. He could have wished that the Right Hon. Gentleman (Mr. Pitt), in bringing forward his motion, had avoided any of the topics which had been employed to inflame and to provoke division of sentiment in that House. It had been too much the fashion of that Right Hon. Gentleman to represent those who differed from him in opinion, as persons unfriendly to monarchy and its necessary splendour and dignity. He was as sincere a friend to monarchy and its real splendour and dignity, though he might be a less pleasing one, as any slippery sycophant of a court. That the Prince of Wales ought to have an establishment on the present occasion there was no doubt; there was no doubt also that the people would grant it; but the stability of the monarchy of the country depended not upon unwieldy establishments; and there might occur occasions, he could readily suppose, for his Royal Highness to render himself infinitely more respectable, dignified, and popular in the present state of things, by a temporary relinquishment of the trappings of a court, and retirement,

tiement, than by all the splendour which the opulence of this country, if exhausted for the purpose, could bestow upon him.

In the consideration of the present question, which necessarily involved the debts, Mr. Grey declared himself willing to imitate the example of the Right Hon. Gentleman, and to consider abstractly what income, under the present circumstances, it would be suitable to grant to a Prince of Wales. The Right Hon. Gentleman had referred to former instances. He had stated that a hundred thousand pounds had been granted to the great grandfather of his Royal Highness, and that the same sum had been allowed to his grandfather, with the addition of the income of the Duchy of Cornwall. He thence inferred that no less an addition than what he had proposed, *viz.* twenty-five thousand pounds, would be necessary, in order to make the income equal to what it was at those former periods. He had asked if there was any person in private life, whose increase of expence would not be found greatly to exceed that calculation. In answer to that proposition, which he would adopt for the sake of argument, he would suppose the case of a man in private life, who by habits of waste and prodigality was constrained from time to time to raise money, and was daily adding to the debt—would not such a man, if reduced again to gain a supply, consider the means out of which it was to be drawn? If the estate, which was the source of his income, was burdened with debt, a consequent necessity must arise for a curtailment of his expence. It was to be considered, whether, when the country had been groaning under the accumulated corruptions of a century, during which it had been oppressed by wars, undertaken from the weakness or wickedness of ministers; and at this time, when it was engaged in a contest, of which it was neither possible to calculate the extent nor the end, it would be proper to exceed the utmost profusion of former periods. A habit of expence had lately been created, and had grown up to a most alarming height, among all orders of society. Was it fitting that the Legislature should set an example of encouraging a habit which threatened the most pernicious consequences, and even the subversion of the constitution itself, since it seemed more and more to be bringing this country into a resemblance to what had been the situation of France, previous to the æra of the revolution? It was this habit which annihilated the independence of the rich, and aggravated the miseries of the poor. Was it fitting that the Legislature itself, whose independence was endangered, should encourage such a system of extravagance? The immense extent of the

danger, and the striking example exhibited of its effects in another country, ought, if any thing, to inculcate a lesson of the necessity of moderation in the present moment.

The Right Hon. Gentleman had stated, that George II. when Prince of Wales, enjoyed an income of a hundred thousand pounds, without any revenue from the Duchy of Cornwall, and that his son, when Prince of Wales, had a hundred thousand in addition to the sum arising from the Duchy. But it was to be recollected that the establishment of the late Prince of Wales, for several years after his marriage, amounted to no more than fifty thousand pounds; that it was not increased till his family had grown up, and that no application was at any time made to Parliament for the payment of his debts. He would ask the Right Hon. Gentleman whether he had always adhered to the same scale of calculation, and whether, if he had, he would not have proposed a larger income for his Royal Highness in the first instance. He desired him to compare his present statements with his former conduct, wherever a similar question had been agitated. The income first granted to his Royal Highness was fifty thousand pounds, which, including the income of the Duchy of Cornwall, amounted to a sum of sixty-three thousand pounds. Afterwards, in 1787, when the debts were discharged, and an addition of ten thousand pounds made to his income, the Right Hon. Gentleman stated that his income was then so ample as to put out of all doubt his capacity for maintaining an establishment suitable to his rank. And yet, though the accounts on the table relative to the necessary increase of expences did not exceed twelve thousand pounds, he had that day proposed an addition to his establishment of no less than sixty-five thousand pounds. Taking all these circumstances together, he considered this to be a sum out of all proportion, and more than the House ought to grant under the present circumstances. It was therefore his intention to propose, that instead of sixty-five, only forty thousand pounds should be added to his present income. It had been originally his intention to have proposed that the whole income of the Prince should amount only to one hundred thousand pounds; but as his grandfather had been stated to have enjoyed this sum in addition to the revenue of the Duchy of Cornwall, he was willing, in the present instance, to go all the length of the liberality of former times. To the article of marriage expences he had no objection, he only hoped that when the Right Hon. Gentleman stated such a sum to have been expended, he would likewise shew that such a demand had been usual on former occasions.

With

With regard to the incumbrances of his Royal Highness, Mr. Grey said, when he recollected the part which he had taken with respect to a similar application, he found it more particularly necessary to come decidedly forward with an avowal of his sentiments. When he adverted to what had taken place on the former occasion, and the solemn assurances then given, that the claim urged at that time should be the last the House should hear of, he felt himself compelled to resist the smallest claim that might be made in the present instance. If a sum had been accumulated out of the savings of the Duchy of Cornwall during the minority of the Prince, if a resource could be presented by a reduction of those trappings of state, which incumbered monarchy without adorning it, or lastly, if any aid could be derived from those great savings, which, during the indisposition of an illustrious Personage, were represented as having taken place during the present reign, he was astonished that any application should be made to Parliament at this time, and under the existing circumstances, which contained the smallest reference to those incumbrances. The very line which the Right Hon. Gentleman had pointed out as the least consistent with the dignity and policy of the Legislature, was that very line which he felt himself compelled to take, namely, from disapprobation of the mode in which the debts had been contracted, to make no provision for them at all. This was the only mode which he conceived would operate as an effectual preventive against the repetition of similar demands. He here desired the Right Hon. Gentleman to consider how far his proposition would give to the Prince of Wales a large and magnificent income. By his mode of statement, he taught the Prince to believe, that a sum of a hundred and thirty-eight thousand pounds was no more than was necessary for the maintenance of such an establishment as he ought to have. While it was proposed to apply a considerable part of his income to the liquidation of his debts, had any thing been done to diminish the scale of his expenditure? What then was the effect of this conduct, but to hold out an encouragement, or provide an excuse for the contraction of new debts? On the other hand, the highest regard had been professed for the dignity of his Royal Highness. How far, he would ask, was his dignity consulted by the mode proposed to be adopted by the Right Hon. Gentleman? An income was given him to support his dignity, and in the same breath means were provided to secure his disgrace and degradation. What could be more degrading to a Prince, than to tie him down in the manner which had been suggested; than to say, that we cannot trust him, and compel

compel him to do justice by the strictest regulations? He had a very different view of the subject. The best dignity, and the truest greatness, was, in his judgment, that which was founded upon integrity of character, without which no respect for rank or station would long avail. The best means then, which it appeared to him that they could pursue, was to grant to the Prince of Wales whatever income they might think suitable, and to mark their disapprobation of the debts by a direct refusal to enter into any discussion on the subject. The Right Hon. Gentleman had stated the inconvenience to which the Prince of Wales would be subject by such a decision on the part of the Legislature. He was sensible of the inconvenience, but he lamented, along with the Right Hon. Gentleman, that he had only a choice of evils. Unfortunately he could not see the Prince of Wales in that situation of rank and dignity, which belonged to him. He had then only to look to that which was the next best, to see him in the situation of lamenting his errors, and making the best preparation which he could for the liquidation of his debts. Would any man tell him that if the Prince of Wales were to retire to a situation, where he might qualify himself by reflection for the duties of his future station, after having made a composition with his creditors, who, no doubt, would be satisfied with easy terms, that there would not still, out of the income which he proposed, be left a sufficient provision for the ease and comfort of two persons, who had other resources to which they might look? The Right Hon. Gentleman, however, had urged, that the support of the monarchy was interested in the provision at present to be made, and that whatever was given, was given for public purposes. He granted that such was the case with respect to whatever was given for the purpose of real and useful splendour, but expressed his fears, that if the debts were submitted to the secret Committee, there perhaps might not be one, which ought not to furnish to the House a subject of regret. It was also to be remembered, that whatever was given to profligacy and extravagance, so far from going to the support of monarchy, went to its overthrow and the destruction of the constitution, as had been recently proved in a neighbouring kingdom, the subversion of the monarchy of which, and the evils which had there arisen, had in a great measure been caused by extravagance on the part of the Princes, which shocked the feelings of the people, while it insulted their distresses. Mr. Grey concluded with moving, that instead of 65,000*l.* an additional sum of 40,000*l.* should be granted to his Royal Highness.

Mr.

Mr. Montagu considered the question to be of the utmost importance, and exhorted the House to act gravely and deliberately.

Mr. Lambton said, that he felt his present situation doubly painful, as he was under the necessity of differing from his Hon. Friend, whom he highly respected, with regard to the amendment which he had made, and of supporting the original motion. That motion he conceived to include every advantage which could be derived from the present discussion. With respect to the amendment of his Hon. Friend, it must either put the Prince in the situation of incurring new debts, or be followed up with a Bill to exile him from the metropolis, and expel him from Carlton House. The question then was, whether or not it was necessary that his Royal Highness, in the situation in which he stood, should preserve an intercourse with different ranks of people. He was sensible that the business was highly unpopular. The Right Hon. Gentleman had not been able to bring it forward without expressing those feelings of regret, and even disapprobation, which he felt on the occasion. The income proposed was to be granted, not from any considerations personal to his Royal Highness, but from loyalty to his illustrious House, from gratitude for the services which they had done the country, and from attachment to the constitution, which had so long flourished under an hereditary monarchy. Base and unprincipled must that sycophant be, who would poison the ear of his Royal Highness with an insinuation that he has a right to squander the money of the people of England for any purpose, however idle, fantastic, and extravagant. He could not, however, admit all the blame, which had been attached to this accumulation of debt. Part of the evil resulted from an ill-judged parsimony in the first instance. When the Prince was twenty-seven years of age, and his income only fifty thousand pounds, they paid his debts; from the estimate of which they might perceive that he was then spending a hundred thousand pounds; yet, notwithstanding, they granted him only an income of sixty thousand pounds, thus leaving him with the certainty of contracting a fresh debt of thirty thousand pounds a year. Those who had once got into the habit of incurring debt, felt how easy it was to supply, by their credit, the deficiency of their finances; and were more and more inclined to plunge into the vortex, a maxim, for the truth of which he appealed to many who were present, and qualified to decide on the point from their own experience. *Mr. Lambton* said, he thought the minister on the present occasion had performed a difficult duty in a manner which did him honour. He had
done

done all in his power to extricate the Prince from his difficulties, at the same time stating in the strongest manner his disapprobation of his conduct. He here referred to an allusion that had been made on a former day, to the extravagance of the French Princes. None, he said, who had been present at the court of Versailles, would have conceived that there existed the smallest degree of comparison. He quoted the example of the Count d'Artois, who was accustomed every night to stake thousands on the fortune of a die; who spent enormous sums in decorating a small apartment, and kept up, through the whole of his expenditure, the same style of profusion. As well might they compare the French minister, M. Calonne, who had been but too easy in complying with the demands of the Princes, to the present minister.

Mr. Lambton said, that if the extravagance of the French Princes had occasioned the revolution, we did well to avert from this country the danger of such an evil. If it were true that the extravagance of the court of France had brought on the disasters of that unhappy country, he thought it became the duty of the House to endeavour to extricate the Prince from his difficulties, and prevent the possibility of his running into the same error. He was of opinion, that the interest of the country was connected with the splendour of the monarchy and the family. If it was wished to keep up the monarchy in the country, he thought the splendour and dignity should also be maintained, lest the monarchy should be reduced to a nullity.

At some period or other the burdens of the Prince must fall on the Public; for when he came to the Crown, his first object would naturally be the discharge of these debts. If it could be supposed that it was possible to endeavour to prevent this, the consequence would be violent convulsions in the state, which might even ruin the constitution. He wished at the same time to obtain something for the people; he hoped that a Bill would be brought in to abolish, as far as possible, the undue influence which large establishments necessarily introduced into the Legislature. Of the three branches composing the state, he had no hesitation in saying, that he preferred the democratic branch, as that which held in its hands the interest and happiness of the community; yet he would not wish to restrain the just prerogative of the Crown. He thought that the Princess of Wales ought to be considered on the present occasion. He should think it would be inconsistent with British generosity, that she should be exposed to the taunts of creditors; it was more honourable to them to afford her, after
she

she had been invited over, the means of living in affluence and ease.

He stated that the enonomic government of America was peculiarly fitted to the soil where it originated, and did not at all apply to this country. After some other observations, he concluded with giving his approbation to the original motion.

Mr. Curwen said, "Sir, if the Hon. Gentleman, who has just sat down, had been present on a former day's debate, to which he has alluded, he would have known that I neither did, nor was it ever my intention, to draw a comparison between the Royal Personages he has named. I then said, what I still think, that the lavish expenditure of public money by the royal family of France, lost them the affections of the people, and led the way to all the calamities which have since befallen that unhappy country. The example of France being quoted to us on all occasions, I cannot but regret that the consequences which produced that revolution seem so little attended to. If they had, Sir, we should not have been under the necessity of discussing the present question; and one more pregnant with mischief was never brought forward; and of this opinion there are few, either in or out of this House, who are not agreed. I can view the question in no other light than as it affects the happiness of the country. It does not enter my mind to consider the person or his conduct; nor matters it whether one Prince lavished thousands in building a summer-house, or the other squandered them on the plains of Newmarket. I wish to see adopted such measures as may avoid the fatal consequences of the loss of public opinion and affection. For a situation so closely connected with monarchy, Sir, I can neither agree to the plan of the Right Hon. Gentleman, nor with the amendment of the Gentleman near me. Such is the dilemma we are involved in, that we have only the choice of difficulties. Numberless are the objections to every expedient I have yet heard proposed. I cannot but heartily deprecate the Right Hon. Gentleman, who so solemnly pledged the Royal word, and his being so shamefully inattentive in looking to the observance of it; had he done his duty, a remedy might have been applied, and means found to have extricated his Royal Highness out of his difficulties, without imposing fresh burdens on the Public, or exposing his Royal Highness's character. Sir, that the country are disinclined, dissatisfied, and unwilling to be charged with one penny on account of the Prince's debts, will not be denied: That a more unfavourable moment than the present, for bringing forward such a charge, could not have been found; labouring, as the country is, under such accumulated distresses. On the other hand,

by refusing to extricate his Royal Highness, you subject him to insults, which may lessen and disgrace royalty in the opinion of the people, and produce mischiefs of the most dangerous kind. The momentary dissatisfaction of the people, from the payment of the debts, weighs less with me, than the consequences which may result from continuing his Royal Highness in his present embarrassed situation; and I trust, after the first feelings of resentment are over and forgotten, the country will see it in a different point of view. I am therefore, Sir, for the payment of the Prince's debts; and shall vote for the larger sum, with a view of forming such a sinking fund, as may, in a reasonable time, liquidate the debt: With this view, should the larger sum be adopted by the House, I shall move, in some subsequent stage of the proceedings, that the sixty-five thousand pounds, and the Dutchy of Cornwall, be applied to the liquidation of the Prince's debts. On the part of the Prince sacrifices ought and must be made; his Royal Highness ought to relinquish his court, and retire for a season into privacy, there to regain the good opinion and regard of the people: Little, indeed, is the sacrifice, when compared with that which will be obtained. The interest of the Prince and the people are the same; as he acquires the affections of the people, they gain security; for, without the affections of the people, no government is secure. I approve of the commission to inquire into, and settle the debts; I wish a veil to be thrown over them, and that the future conduct of his Royal Highness may make us forget the past. I cannot conceive how royalty can in any respect be injured by such a proceeding: On a large calculation, not one thirteenth part of the nation can receive any gratification from the Prince's court; but I am sensible that the relinquishment of it would be felt and acknowledged by every subject in the kingdom. No country, surely, ever afforded such an instance of what personal virtue and integrity can effect: View this reign, commencing with an attack upon the right of elections—proceeding, from step to step, till we lost one quarter of the globe; with a minister so callous to the distresses of the people, that he had the audacity to come forward, with an unblushing front, to Parliament, in the midst of that ruinous and destructive war, for the payment of the King's debts, to the amount of upwards of six hundred thousand pounds, and one hundred thousand pounds to be added to the civil list: And was it not granted?—Involved at this moment in a war, the end or consequences of which no one can pretend to foretel—deprived of the great palladium of liberty, the *Habeas Corpus Act*—and yet, Sir, notwithstanding

ing all these events, any one of which, singly, might have overturned any other Government; yet, see his present Majesty one of the most popular Princes that ever sat upon the throne! Shall we suppose it possible, that the relinquishment of the tinsel and frippery of a court can be attended with any loss of respect to monarchy? can sacrifices for the people produce any other return than affection and regard on their part? If integrity has done so much, what will gratitude not effect, when joined to it? I wish to see his Royal Highness placed in such a situation, that he may regain what he has lost—a consideration of infinitely more importance. Great as the sum is—considering, Sir, the double situation in which his Majesty stands, and the solemn pledge given to this House—I confess myself much disappointed, that we have had no intimation of his Majesty's intention to come forward, and take upon himself part of the burden. I cannot believe, had the Right Hon. Gentleman acquainted his Majesty with the temper and feelings of the nation, that he would not cheerfully have evinced his regard and affection for his people, by meeting their wishes. It is inconsistent with every principle of justice and policy, that one branch of the Legislature, and that possessed solely of the power of involving us in war, should alone be exempt from sharing the burdens and calamities inseparable from it: I think the Throne should be the first to feel, and the foremost to sacrifice to the distresses of the country; and I verily believe it would not diminish the lustre of the country, to dispense with some of its trappings. Sir, I do not wish to hear the advantages of royalty placed upon its being the cheapest form of government; for the assertion is not warranted in truth: The government of America does not, in fact, cost much more than what has been lavished by his Royal Highness alone; less than two hundred thousand pounds a year, answers every purpose of that government. The attachment of the people of this country to its government, proceeds from the sense of the blessings it has long enjoyed under it, and I trust it will long continue to do. Much as we must lament the misery which has attended the new doctrines introduced into another country, and deprecate them, as they have involved us in the calamities of war, the general result of them will be advantageous to mankind; compelling those who govern to be cautious of their conduct, and not to abuse the power they are entrusted with."

Mr. Alderman Newnham was very decidedly in favour of the greater sum, and against the amendment. He expatiated with great energy on the necessity of keeping up the dignity and splendour of the Prince of Wales, the Heir Apparent to

the Crown of these realms. The splendour of the Prince of Wales, he asserted, was the splendour of the people of England; and all those who were friends to the monarchical form of government we so happily possessed, ought to be very cautious how they agreed to any measure which might diminish that splendour. Much had been said, he observed, about what had been granted to Frederick Prince of Wales, the father of his present Majesty; but to him it did not appear by any means in point, with respect to the present question. The price of all the articles of provision had so much increased, and the value of money, from the extension of our commerce and manufactures, had been so much depreciated, that money scarcely bore the fourth part of the value now which it did then. It was of the utmost consequence to the peace, happiness, and domestic comfort of the Prince of Wales, that his establishment should be such as in future to prevent him from accumulating debts, which might draw him into similar embarrassments with those under which he now laboured. It was of equal importance to the country effectually to provide against this; and to accomplish this desirable end, he saw no way so ready and so certain as that of giving his assent to the original motion of granting to his Royal Highness an establishment of one hundred and twenty-five thousand pounds a year, exclusive of the revenues of the Duchy of Cornwall.

Mr. Burdon said, that he should vote for the smallest sum, being as much as the country could afford. He thought that twenty-five thousand pounds a year, expended in salaries to Noblemen and Gentlemen in the Prince's suite, should be retrenched.

Mr. Smith stated, that the sums formerly given to a Prince of Wales had been granted out of the civil list. Both George the Second and the late Prince of Wales were married, and had several children, at the time that their establishment was extended to a hundred thousand pounds; and then the application was made to the King, not to the country for a shilling of it. But the King refused on account of his own numerous issue; and observed, that though the Prince's family was large, his allowance was competent. Besides, the national debt was then forty-eight millions, and the interest but two millions; whereas it was now three hundred millions, and nine millions of interest, with a continual increase of burden.

In the same reign of George the Second, his Majesty had been under the necessity of applying to Parliament for the payment of some arrears which had accrued on the civil list; and in his message to the Parliament on that occasion, he intimated, that in consideration of that, he should make some considerable

considerable retrenchments and deductions in the expences of the civil list, by lessening and reducing several places and pensions appertaining to the same. Mr. Smith said he wished a similar conduct had been pursued upon the present occasion; and instead of the burden being thrown entirely on the people, that it should have been borne by those who were much better able to struggle under its weight.

Mr. Smith professed himself as true a friend to the monarchy as any Member of that House; but he thought that splendour and dignity had been confounded in the course of the debate; splendour might indeed sometimes add to dignity, but on other occasions, as on the present, dignity might be most effectually consulted by an abatement of splendour; there were many offices in the households, both of the Monarch and the Prince of Wales, which, while they were highly honourable in themselves, lost much of their dignity by the persons holding them receiving the salaries they did.—These offices were held by Noblemen of the first distinction, and who were styled in the civil list *Menial Servants* of the Crown, or of the Prince. He had not the smallest doubt in his mind but that the first Dukes and Lords in the land, really deemed it an honour, and felt the *highest pleasure*, in being constantly about the person of their Sovereign, and being continually receiving the gratification of his daily converse and personal regards—but when he contemplated those Noble Personages in the character of a Master of the Horse, or a Lord of the Bedchamber, he could not conceive that they derived additional dignity to their characters, or that their services reflected additional dignity on the Crown, from their receiving severally one or two thousand a year for the services they performed. On the contrary, he thought that every Nobleman who held any of the great offices of state, would possess and justly entitle himself to real dignity in the minds of the people, who would say to themselves and to the Public when they accepted their office, “I am proud to serve my King and my country in this truly honourable station, but as a Nobleman of great fortune, and thereby a truly *independent man*, I disdain to accept of any emoluments of office, because my fortune being great, I think my refusal to accept them will reflect more real splendour and dignity on the office I hold, and on the Monarch who confers it, than can possibly result from my receiving annual wages for the performance of that duty which is held out to the world, as reflecting honour on me who perform it, and splendour on him who confers its duties upon me.”

There was only one point more, Mr. Smith said, on which he would trouble the House, and that was, that it at once surprised

prised and grieved him, that no advice had been given to his Majesty, or at least that no intimation had been given by him, that he was ready and willing to bear any part of the burden of paying the Prince's debts. He wished, for the sake of the dignity and splendour of the monarchy, that this had been done; but as it had not, the best and safest way that he knew of, was to vote such an establishment as should prevent the Prince from incurring future debts, and that would decidedly weigh with him to support the original motion, and vote against the amendment.

Mr. Fox said, that conscious what he felt it his duty to say would be acceptable neither to the Crown, the Prince of Wales, nor the majority of the House, or of the country, he could have no particular inducement to be very forward in troubling the Committee with his opinion. Yet, notwithstanding, he should not relax in the conscientious discharge of that duty he was bound to perform. His Majesty, he was assured, was above considering improperly any thing stated in that House, although what he was about to state, he was aware, would neither be agreeable to the Court nor to the Prince: Nor should he perhaps concur even with any of his friends in that House, or with the majority of the Members present, or the Public at large. It was undoubtedly necessary to support the splendour of the Crown as an essential part of the constitution; but he did not understand calling it, as it had been called, the centre of the constitution. The Crown was dear to every man who loved the constitution, but not dearer than other parts of it, not dearer than the House of Commons, the popular branch of the constitution. To the chief magistrate in all governments, republics as well as monarchies, a certain degree of splendour was necessary. He never could desire to subvert those systems which had the approbation of experience in every country and every age. The ancient republics were convinced how requisite splendour was to dignify their government, and lend authority to their proceedings, and the late transactions of a modern republic were in some manner anomalous. This was a point clear from the history and practice of all governments, but subject to modification, as circumstances might require. There were cases in which the dignity of the Crown might be better upheld by relinquishing part of its accustomed splendour than by a strict adherence to it. The Right Hon. Gentleman (*Mr. Pitt*), he remarked, had produced but one question, which comprehended the whole of the important business under discussion. He therefore took a view of the general subject before he specifically examined the question itself. Much had been said of the establishments of former

former Princes of Wales as precedents. Sorry he was that he could not look to those precedents as the most creditable part of the history of the House of Brunswick. The establishment of George II. when Prince of Wales, had been a mere matter of party; how much more that of his son Frederick Prince of Wales? For George II. when Prince of Wales, 50,000*l.* was deemed ample provision, and how much more was allowed to Frederick, the father of his present Majesty? 50,000*l.* was deemed ample provision for him too for many years, although he had a family of four children, and consequently an increased household; yet afterwards this was suddenly doubled, and 100,000*l.* was granted; 60,000*l.* a year when he happened to differ in political opinion from his Majesty's ministers, and 100,000*l.* when he afterwards agreed with them. He had too much respect for the memory of that Prince, to impute to him motives inconsistent with the honour of his high station, inconsistent with the honour of any private gentleman; but the circumstance gave room to suspicions in the country, as injurious in their tendency to the Prince as to the people, for mutual respect and confidence were necessary to the interests of both. What he deprecated on the present occasion, Mr. Fox said, was a conduct on the part of the House that might expose any Prince of Wales to such suspicions. Let all men see that they meant to be guided only by the actual principles of the case, and not by regard to the individual; and here he must lament the whole conduct of Government with respect to the establishment of his Royal Highness. When an allowance of 50,000*l.* a year in addition to the Dutchy of Cornwall was proposed, he thought it insufficient. Why then, it would be asked, being one of his Majesty's ministers at the time, did he concur in that allowance? He concurred, declaring his opinion of its insufficiency, because it was then an experiment, and great deference was due to the opinion of his Majesty, who gave the whole sum out of the civil list, without calling for the aid of Parliament, and thought that it would be sufficient. A few years after, other ministers advised his Majesty to apply to Parliament to exonerate the civil list from this allowance to the Prince. In 1787 an Hon. Magistrate (Alderman Newnham) brought the subject again before Parliament, when provision was made for paying the debts of his Royal Highness, and 10,000*l.* a year was added to his income. This was no new experiment, but the result of an experiment already made. He then thought 60,000*l.* a year in addition to the Dutchy of Cornwall an insufficient allowance; but his mouth was stopped by the terms of the King's Message, conveying very clearly both the King's
opinion

opinion and the Prince's, that it would be sufficient. The declaration of his Royal Highness, that he would give no occasion for any future application to Parliament on a similar account, surprised him not a little. He knew not who had advised him to make such a declaration; but if his Royal Highness at any subsequent period had consulted him upon the subject, he would have said, that being made it was a promise which for his honour he was bound to keep. It was, however, the opinion of ministers, and of the Chancellor of the Exchequer in particular, whose duty it more immediately was to form a correct opinion, that 60,000*l.* a year, in addition to the Dutchy of Cornwall, was sufficient for the splendour of the Prince of Wales at twenty-five, and for reinstating his household, which he had dismissed. Upon what principle then did they at this time pretend to say that 125,000*l.* a year was necessary? Marriage in the lower classes of life made a great difference in point of expence, but did it in anything like the same proportion among the higher ranks? His Royal Highness before his marriage had a house and a household; did his marriage require two houses and two households? How then was it possible for those who in 1787 said that 73,000*l.* a year was sufficient for his expences in Carlton House when he was single, to say 138,000*l.* must be necessary now? He could not but lament that the same conduct seemed to be adopted with respect to the establishment of his Royal Highness as had taken place with respect to that of Frederick Prince of Wales; that ministers measured the extent of his allowance by the degree of approbation he bestowed upon their system of government; and that the House, following them, was to be guided, not by principle, but by circumstances of a very different nature. It might be asked, whether he did not feel such a difference as he supposed ministers to feel? He would answer, that he did not; that he had never considered his Royal Highness in any other point of view than as the Heir Apparent to the Throne; that he had never looked to his opinions, but to his station. He might then be asked, whether he, who had always thought the former allowances to his Royal Highness insufficient, would not now vote for the larger sum, in preference to the amendment moved by his Hon. Friend? Undoubtedly he would, and for the reasons he had stated on former occasions, but not without some provision for preventing such applications to Parliament in future. The difference between the present value of money, and the value of it when 100,000*l.* was an adequate provision for Princes of Wales, required at least an addition of one fourth. He should be answered, that the increase of public debts and public burdens made the country

country less able to bear large establishments. He admitted and lamented the increased and increasing burdens of the country; but with increase of public debts, let the increase of public means to provide for them be taken into consideration.

Let Gentlemen look to what he wished ministers had looked to in 1787, the increased habits of expence in all ranks, and the difference of one fourth would certainly not appear to keep pace with it. His Hon. Friend who moved the amendment, spoke of the evil tendency of such habits; but was the Prince of Wales the first example they would choose to select for reform, and, in some sort, for punishment? Suppose some person of the same rank and situation in some country undiscovered had indulged himself in similar excesses, who would call down reprobation on him? He was the Heir Apparent in early life, when his age, his situation, the times, habits, and manners, all conspired to make him fall into that evil they lamented. He remembered to have heard a lady, as weak and as frail as the frailest of her sex, say, not ludicrously, but seriously, "I am conscious of my faults; but I hope I atone for them by my marked disapprobation of such faults in others." It would ill become him to be very pointed in his disapprobation of imprudent expence in others; but he would say to the City, to Westminster, to the Public at large, "If you complain of increased habits of expence, begin the reformation by reforming yourselves." Reference might be made to the liberality of Parliament, to other Princes, to the Crown itself. Whatever they might say about the distinctness and separate interests of the three branches of the Legislature, and their independence of one another, it could not be dissembled that the Crown having the disposal of all offices civil and military, with the collection of near twenty millions of revenue, must possess great influence in that House. Would it then be seemly to yield to every extravagance of the Crown, but act harshly and austere towards a Prince who had no such influence? Something on this occasion might have been expected from the civil list. Queen Anne, from a civil list of 600,000*l.* gave 100,000*l.* towards the support of a war. George I. out of 700,000*l.* a year gave 100,000*l.* for the establishment of his heir; and George II. the same sum for the establishment of Frederick Prince of Wales. During the American war, when the country was not certainly in a state of prosperity, Parliament paid a large debt for the civil list, and added to it 100,000*l.* a year. The sum appropriated to the privy purse had been gradually increased from 36,000 to 60,000*l.* a year; why then refuse a proportionate increase to the establishment of the Prince of Wales? These arguments

he had formerly stated to the House without much effect; and if they produced any effect now, it would be from their being enforced by superior eloquence and superior talents.

With the establishment, unfortunately, the business did not end. There were debts, as stated, of his Royal Highness, to the amount of 620,000*l.* and other debts for which he was bound. The latter, he understood, much to the honour of those who had contracted them, were already in a course of payment. But, supposing the creditors to think the mode of payment too slow, they might call upon the Prince for payment, as well as his own creditors, and, therefore, to relieve him from his embarrassments, if to do so was intended, these debts must be put upon the same footing as his own.—Hence arose two questions—Was the Prince well advised in applying to that House on the subject of his debts, after the promise made in 1787; or the minister justified in making any proposal for liquidating them without some engagement on the part of his Royal Highness which might be relied upon as a security against future calls of the same kind? To both these questions he must give a decided negative: And therefore he would consider only what was a proper establishment for the Prince, without noticing his debts. Here again, a new consideration interposed, *viz.* that of the Princess of Wales, who had been invited over by the unanimous consent of Parliament and the country, and for whom the House, by its Addresses, stood pledged to make a suitable provision. It was in vain to pretend, that the House was not aware of the embarrassments of his Royal Highness at the time they gave that pledge; not one of them but knew the fact, although not regularly informed of it by a message from his Majesty. For this reason only he would assent to a plan for relieving his Royal Highness from those embarrassments, but not without an absolute sinking fund, for liquidating the debt within a reasonable time. The Right Hon. Gentleman proposed appropriating 25,000*l.* a year for the payment of the interest, at four per cent. although interest was at five per cent. and the income of the Duchy of Cornwall to liquidate the principal, which, according to this plan, would be discharged in about twenty-seven years. Was this a plan that any man could propose seriously? Rather let the House own that they did not mean to pay off the debt, than hold out such a mockery. Their duty to the Prince and to the Public was the same, for in consulting his dignity, they consulted the public interest. But in what way would his dignity be best preserved? By retaining all the splendour of his establishment, his creditors unpaid, or by setting apart such a portion of it as would liquidate

his debts and atone for past indiscretion by future economy? To do this would be his advice to his Royal Highness, were he to condescend to ask it in his closet. He gave it not, as he then must give it, for the sake of popularity, of which he was no courtier, except as it followed an honest discharge of duty, and which he was never less likely to obtain than by the course he was taking on the present occasion. If only 25,000*l.* were applied to the liquidation of his debts, his carriages, horses, servants, every article of his state would remind the Public of what it was much better the Public should forget; but let such a reduction as he proposed be made, and mens feelings would soon take a contrary turn; they would pant for the moment that should restore the Prince to the enjoyment of his full income, and when it arrived, view his splendour with pride and satisfaction. Sixty-five thousand pounds with the income of the Duchy of Cornwall, would form an adequate fund for the payment of his debts within a reasonable time.

It might be asked if the Prince could live in a way becoming his state upon 60,000*l.* a year? He would answer, No; nor upon 100,000*l.* a year; for if he could, ministers, upon their own principles, would not be for giving him 125,000*l.* a year. But for a time he might spare his great officers of state, and other expensive appendages of his rank, and the Public would gain a beloved and respected Prince of Wales. Upon 100,000*l.* a year he would be expected to maintain his full establishment with an inadequate income, and would neither be able to clear away his old incumbrances, nor to avoid new. Upon 60,000*l.* he would be expected to consult nothing but his domestic satisfaction, and the honourable discharge of his just debts; and when he had once experienced the public esteem and affection that would soon follow such a plan, his future years must be prosperous indeed, if he counted the years of his probation the least happy of his life. All this might be done much sooner, and without expence to the Public. It had ever been his opinion that a land estate was the least proper of any for the Crown, the most objectionable on account of the undue influence it was calculated to create, and the least likely to be profitably managed. The Duchy of Cornwall, as he was informed by persons well acquainted with it, might be sold for 800,000*l.*; he would suppose for only 600,000*l.* The Prince's life-interest in it might be valued at 300,000*l.* and that sum applied to the payment of his debts. The remaining 300,000*l.* might be applied as Parliament should think fit—to the future provision for Princes of Wales, if they were so attached to customs, merely because they were old, as to think it worth while to continue that whimsical sort of provision. There

112

would

would remain 320,000*l.* of debt, which the fund he had mentioned would pay off in three or four years, when his Royal Highness might resume his state, with the satisfaction that his indiscretions had not cost a penny to any one of those whose fellow-subject he was at present, and whose Sovereign he was one day to be. The middle course proposed by the Right Hon. Gentleman would neither give splendour to the Prince nor comfort to the private gentleman; but above all, the people would see in it no atonement for past imprudence.

He next reviewed the plan of the Right Hon. Gentleman in 1782, with the measures taken in respect of his Majesty for the payment of the debts on the civil list, as well as the similar measures in 1784 and 1786, when the 50,000*l.* which had before been granted was taken back. Here comparing what might happen from the uncertain tenure of life, Mr. Fox asked, what security we should have in another Parliament, if similar debts on the civil list should be incurred, that they would not be paid in the same manner? He conceived the House during the whole of the reign to be culpably liberal, and that must be the character of the House of Commons while the Crown exerts its influence upon it. He approved of taking measures to prevent future debts being contracted, provided the plan was to be general. If it were to apply to the Prince of Wales individually, it would not be a mark of respect but of degradation; if applied to all future Kings and Princes, it should have his hearty support. It would relieve Parliament from the difficulty which always occurred when debts were contracted by the Royal Family, that unless provision was made for the payment at the public expence, the creditors must lose the money. In making the officers of a Prince responsible for all debts in their several departments, there appeared to be such inconveniences, as he thought could not be obviated.

Why had not his Majesty been advised to do something upon this occasion himself? Was it for the interest of regular government that Monarchs should never appear to their subjects to feel any portion of the public adversity; that they should grow rich as the people were growing poor? In private families the indiscretion of a son was a misfortune which his family felt, and must make sacrifices to repair. The imprudence they all lamented was partly of this nature, and something might have been expected towards repairing it. One hundred thousand pounds would not have gone far in money, but it would have gone far in sentiment. It was not wise in those who talked of the dangers that threaten monarchy, to suffer Kings and Princes to be known only to the people by expences and taxes.

A more

A more unpleasant duty, Mr. Fox declared, he had never performed in Parliament. The illustrious person whose honour and interest, in conjunction with those of the Public, he was anxious to promote, would not perhaps much relish what he had said, if it should be reported to him; but grateful as he was for the personal notice and kindness with which his Royal Highness had sometimes honoured him, he never had spoken, or would speak of him in that House, but relatively to his station, not to his own private feelings. The smallness of his income palliated his debts, and, had it not been for the promise in 1787, might have excused them. All who knew him knew this to have been his constant opinion upon that point. The Prince had not been fairly dealt with, as to the revenue of the Dutchy of Cornwall during his minority. What the Act of Parliament gave to him from his birth, had been applied by successive ministers to the purposes of the civil list. It was a miserable plea to say, that the amount had been expended on his education. Would any man of fortune, whose son had a distinct income, charge him with the expences of his education? Mr. Fox concluded by observing, that his plan was to facilitate the extinction of the debts, and so was that of the Right Hon. Gentleman; but there was more risk in the latter, and if the Public risks, the Public pays. This being the issue, he repeated that he would vote for making the allowance to the Prince of Wales 125,000*l.* but that he would oppose taking any notice of his debts, unless a large fund for liquidating them were appropriated in some such way as he had suggested.

Mr. Wilberforce began by observing that though he must consider it as an unfavourable circumstance, that he was about to rise to deliver his sentiments immediately after the Right Hon. Gentleman (*Mr. Fox*) who had just sat down, on account of the comparison which must be drawn to his disadvantage; yet on another ground he could not but be glad that he had not caught the Speaker's eye, when he had risen at an earlier period of the debate, for when the proposition which had been originally moved and enforced by his Right Hon. Friend, had been agreed to and supported by the Right Hon. Gentleman, he was sure he had at least heard all that was to be urged in vindication of it: It was a proposition from which he must reluctantly dissent, but he trusted he was not acting under the influence of prejudice, or passion, but determined on an impartial consideration of the important subject before them, and earnest in the pursuit of truth.

He must begin by returning his thanks to the Chancellor of the Exchequer, for bringing the business forward in so fair a way: It had been distinctly stated, that we were now to leave
out

out all consideration of the Prince of Wales's debts; and that we had simply to determine what, in the present circumstances of this country, was the allowance which we ought to make to him.

It would be afterwards for the House to decide whether or not any, and if any, what proportion should be appropriated to the liquidation of the debts. But this was not the subject then before them. That on which he had at present to make up his mind, without reference to the incumbrances, was merely what should be granted to the Prince of Wales. And surely it would be impossible for him or for the House not to feel the peculiar circumstances under which they were to determine on that point. Need he mention the immense debt which was already incurred during the present war, added to all our former burdens, and the indefinite amount of that which might yet remain behind? Need he insist on the distresses which at this moment the lower orders were experiencing from the unequalled price of every necessary of life? He could not but observe, that the Right Hon. Gentleman who had preceded him (Mr. Fox), had on the present occasion somewhat flurred over this part of the subject, which no man in general felt more strongly, or knew how to represent in more impressive terms. Need he suggest the endeavours which had been used to render a limited monarchy unpopular, by representing it to be a mode of government, wherein the many were to be taxed and impoverished, to supply the luxury and prodigality of a court, or urge the use which would be made in this connexion, of any grant upon the present occasion, which by moderate and reasonable men might be deemed in any degree extravagant? Surely it would be sufficient to remind the House of these several topics, and every Gentleman's own mind would supply the various considerations they were calculated to suggest.

Giving then their due weight to all these circumstances, the question to which he had to answer was this—what would be the proper allowance for the Heir Apparent to the Crown? He entirely agreed with his Right Hon. Friend, that this was no private or personal, but a public and a political question: They were bound indeed to grant to the Prince of Wales, as a man for whom it was incumbent on them to provide, whatever might be requisite for his personal comfort; but beyond this, and considering him in his political capacity, it was their duty to investigate what allowance would best promote the end in view, that of giving credit and support to the monarchy. He said he thought that Gentlemen hardly went deep enough in considering the subject.

On looking at all attentively into history, and examining
the

the principles of human nature, it would appear not only that such an allowance as they were now speaking of, ought to be different at different periods, and in different states of society, in order to render it most conducive to the intended end; but that as in more rude and barbarous times, when a general simplicity of living prevailed, it might best support the honour and credit of the crown for the King and his immediate connexions to live in great splendour and magnificence (for which therefore large revenues would be required); so in times of general luxury and extravagance, a certain chaste and dignified simplicity, when not sinking into any thing mean or fordid, would be likely to excite still greater respect and veneration. This was a principle, of the truth of which he was firmly convinced, though it might seem a little singular at first sight; and it would be found to hold true in every other instance wherein it was applicable as well as in that of the style of living: Every one would anticipate its application to works of literature and the fine arts, in which, at a more advanced period of society, a chaste simplicity was substituted in the place of finery and taudry decoration. Taking this principle into account, and adding it to the former considerations, drawn from the situation of the country, he must say, that he thought the sum of 100,000*l.* per annum, exclusive of the Dutchy of Cornwall, which was estimated at 13,000*l.* more, was a sufficiently liberal provision. Several arguments had however been urged to induce the House to accede to the proposal for the larger sum moved by the Chancellor of the Exchequer of 125,000*l.* besides the Dutchy of Cornwall. It was stated in the first place, that the smaller allowance was the same which had been made to his Royal Highness's grandfather, and that, from the decreased value of money, it would by no means go so far now as formerly: But he must remind the House, that his Royal Highness's grandfather had a great family to maintain: And not to mention that this principle of regard to the decreased value of money, or the increased price of articles, was not one which had been admitted in the case of the public establishment of this country (he need only suggest the army and navy as proofs of his assertion), he must observe that the principle applied less in the case of his Royal Highness than in any other, because a considerable part of his expences consisted in fixed salaries to the various officers of his court, which were the same now as they had been in the time of his grandfather.

Mr. Wilberforce proceeded to observe, that what he had a little before remarked concerning the greater simplicity which became times of general pomp and luxury, would serve in

some

some degree as an answer to another argument in favour of the larger allowance, that not only the price of every article increased, but the style of living was itself extremely raised within the last few years; whence it was contended, the Prince of Wales must spend much more now than a Prince of Wales formerly, to maintain his relative situation. But he thought it was here also to be remarked, that the chief difference in the manner of living consisted in this, that from the usual effects of increasing opulence, the lower and middle orders had gradually adopted the luxuries and refinements of the higher classes, and he believed that to any one who would consult the page of history, it would appear that in the case of persons in the highest rank, like that of his Royal Highness, the style of living was not only not increased, but that it was actually diminished: They had fewer retainers than formerly, they had less numerous retinues, their entertainments were less costly and magnificent. Any one might be satisfied of these things, who would look into some curious publications, concerning the manner of living in England in former times.

But the Right Hon. Gentleman, willing to bring forward the whole force of his artillery, had tried the effect of facetiousness as well as of serious argument; and by a pleasant story had ridiculed the idea of the Members of that House prescribing to the Prince of Wales that simplicity and moderation of living, which they were themselves so slow to practise; but the Lady in question, it was to be observed, was acting in an individual, and not in a judicial capacity. What would the Right Hon. Gentleman say to a Judge upon the bench, who should declare that he must change the sentence of that law which he was sworn to pronounce, because he knew he was himself in some degree chargeable with the same offence? And was a legislative of less importance than a judicial function? He must remind the House that they were then in the exercise of a solemn duty, deliberating on the proper provision for the Heir Apparent of the Crown, bound to maintain a due regard on the one hand to the claims of his exalted station, and on the other to the peculiar circumstances of the times, and the interest of the people. Strongly impressed with a sense of its being incumbent on him to discharge with fidelity the duties of his important station, and knowing that it was one of his especial duties to watch over the interests of the Throne, he must go on to speak his mind with freedom: He could not help confessing then, that in considering the amount of his Royal Highness's allowance, he must take into his view the probable application of it; but it was more pleasing to express gratitude than censure, and it afforded him no small

satisf-

satisfaction, thus publicly to declare the deep obligations under which he lay to their Majesties upon the throne, for their exemplary conduct, by which they had arrested the progress of licentiousness in the higher classes of society, and sustained the fainting morals of the age. If ever the scene should be changed in these particulars—— But he would only add that a French court would soon produce a French nobility, and a French capital, and these perhaps would be but too rapidly followed by a French revolution.

With regard to what had been insisted on of the Prince's increased expences, in consequence of his having become a married man, he thought 40,000*l.* a year was fully sufficient to cover that increased expence; he felt as much as any one the force of a topic, which had been powerfully urged, that of their being bound in honour to consider her Royal Highness the Princess, in this arrangement. He could not but believe however, that they gave her little credit for those feelings which he trusted she possessed, who conceived that she would not be most gratified by her cause being considered as identified with that of her husband, and by receiving that which with most cheerfulness and cordiality the people of England would bestow: He could not but flatter himself indeed, that both their Royal Highnesses, whatever might be the first emotions of the moment, would in the hour of recollection feel little obliged to those who could consider their interests and feelings as distinct from those of the people, whom they were one day to govern, and that they would learn rather to respect those who were too sensible of the blessings of a monarchy, to lessen the solid strength, by increasing the pageantry of the crown, and endanger the loss of its best security, the cordial good-will and affection of the people at large. Mr. Wilberforce concluded with a few additional remarks, concerning the sale of the Duchy of Cornwall, as suggested by Mr. Fox, and the larger appropriation for payment of the Prince's debts, which if they were to be paid at all, he must certainly prefer to the smaller one suggested by the Chancellor of the Exchequer. He also approved in this case of Mr. Fox's idea of the Prince's living for a while as a private man, without a court, and remarked that to deprive their Royal Highnesses of this kind of state, would probably be to take away little or nothing from their happiness.

Mr. Fox, in explanation, said a life-interest in the Duchy belonged to the Prince by Act of Parliament, and the reversion to the Public. If then, as in cases of private property, the parties agreed to sell, the life-interest might be valued; and applying the amount to the immediate reduction of a debt

was not putting the Public to one penny of expence, because the value of the reversion would still be at the disposal of the Public.

Mr. Yorke said, he could not answer to his constituents for voting more than 100,000*l.* Any proposition for paying the debts, ought to form a distinct consideration.

Mr. Powys agreed in general with the Chancellor of the Exchequer, but hoped that what *Mr. Fox* had said, with respect to the sale of the Dutchy, would be very seriously attended to. He said, in proposing limitations or restrictions upon the income to be granted to his Royal Highness, he hoped he should not be suspected of a want of proper respect for that Illustrious Personage; but this proposition came on under circumstances totally unprecedented. In former cases, where a provision was made for a Prince of Wales, the revenue was paid out of the civil list, and therefore Parliament had no right to impose restrictions; but in the present instance, the Parliament were voting the public money, and to do it with jealousy was their duty.

Mr. Buxton begged to be heard a moment; (the House was very clamorous for the question.) He only wished to ask, whether the proposition relative to the Dutchy of Cornwall would be acceded to. If it were to be sold, he should vote for the larger sum of 125,000*l.*, but if it were not, he most certainly would give his support to the amendment.

General Smith was for a very liberal allowance, which he said would be nothing without paying the debts. The income of the Dutchy of Cornwall having been spent by the Public during the Prince's minority, ought to be made good to him by the Public. He should not therefore feel the slightest hesitation to give his vote for the larger sum proposed: He should even have had no objection if the sum had been still larger. He wished the House to take into their consideration the enormous expences which a Prince of Wales was necessarily compelled to incur, which private men, however large their fortune, were exempt from. At the present period, the great increase of price in every article, rendered it proper for the House to make such a fair increase of revenue as would put his Royal Highness upon an equality with his predecessors. He contended, that the reason why his Royal Highness was so involved at present was, that when his establishment was first fixed, it was too small: This compelled him to run in debt, and caused all his subsequent perplexities.

Sir William Pulteney was for relieving the Prince from his debts, but in such a way as that the Public might see what they were doing, and for making it impossible that any of the
Royal

Royal Family should contract debts in future. He would vote for the smaller sum, reserving the debts for future consideration.

Mr. Esfe lamented the question had been brought on in the manner it was. The House had been told they were not to take into consideration the payment of the debts on that evening, and yet an establishment had been proposed, a great part of which it had been declared was intended to be appropriated towards the discharge of the debt.

Mr. Banks was decidedly of opinion that the plan of the Chancellor of the Exchequer for liquidating the Prince's debts in twenty-seven years was, in a great measure, nugatory, and put the risk ultimately on the Public to pay them. He was therefore for adopting *Mr. Fox's* plan of applying 65,000*l.* together with the profits of the Dutchy of Cornwall, towards this desirable end, which would effect it in a few years.

Mr. Maurice Robinson said a few words; but the cry of Question! Question! was so loud that it was impossible to hear his speech.

Mr. T. Coke and *General Macleod* approved of *Mr. Fox's* plan.

Mr. M. A. Taylor said he should vote for the larger sum. If a commission were appointed to inquire into the debts, they might be reduced from 600,000*l.* to 400,000*l.* He preferred paying them as *Mr. Fox* proposed.

Mr. Hufsey said, that while a fund was suffered to go to waste that might be made productive, he should oppose taking money from any other.

Mr. R. Smith was for the amendment. He thought a plan for liquidating the debts in twenty-seven years, was no plan at all; and approved of *Mr. Fox's* proposition.

The Committee divided on *Mr. Grey's* amendment:

Ayes	-	-	99
Noes	-	-	260

Mr. Hufsey then moved, that the Chairman do now leave the chair (a form of opposing the main question without giving it a direct negative); upon which the Committee divided:

Ayes	-	-	99
Noes	-	-	248

The Committee then divided on the main question:

Ayes	-	-	241
Noes	-	-	100

The original resolution was then put and carried.

On the other resolutions, or amendments moved to them, two more divisions took place; but strangers were not ad-

mitted. The numbers on the two divisions were 99 to 248, and 100 to 241.

The Speaker having resumed the chair, the report was ordered to be received the next day.

Mr. Secretary Dundas presented the papers relative to the conduct of Sir Charles Grey and Sir John Jervis in the West Indies.

Mr. Grey moved that the papers be printed; which was ordered.

Mr. Grey added, that as the session was far advanced, if the Hon. Gentleman who had moved for this inquiry, meant to found any motion upon the papers then before the House, he hoped he would lose no time in bringing it forward.

Mr. Barham said he meant to take an early opportunity of bringing forward a motion.

Adjourned at half an hour past twelve.

HOUSE OF LORDS.

FRIDAY, May 15.

Received several Bills from the Commons, and some papers from the India House.

Read a third time and passed the several Bills on the New Taxes.

Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, May 15.

SIR CHARLES GREY AND SIR JOHN JERVIS.

Mr. Barham gave notice, that on Thursday se'nnight he would make a motion on the papers relative to the conduct of Sir Charles Grey and Sir John Jervis during their command in the West Indies.

Mr. Grey expressed his surprise that the Hon. Gentleman should not have named an earlier day for his motion. The papers had been laid on the table the preceding day, and would be printed about the middle of the week. The Hon. Gentleman was perfectly apprized of their contents, for he had had the same papers upon which he was to found his motion for inquiry, already six months in his possession. Was it fair in the Hon. Gentleman to bring forward his motion at

so advanced a period of the session, as would render it impossible for the House to go fully into the inquiry?

Mr. Barham said, that at present, Thursday se'nnight was the first open day. He vindicated himself from the charge of delay, for reasons which he had formerly assigned. As to the advanced period of the session, he, as well as the Hon. Gentleman, did not expect that any inquiry would be granted.

Mr. Grey said, that if the Hon. Gentleman made out any charge which demanded inquiry, he did hope that an inquiry would take place. But if the Hon. Gentleman brought forward his motion at a time that he conceived an inquiry would not be granted, he left to him and to the House to determine on the fairness of such a proceeding.

PRINCE OF WALES'S ESTABLISHMENT AND DEBTS.

Mr. Steele brought up the Report of the resolutions of the Committee on his Majesty's Message, relative to an establishment for his Royal Highness the Prince of Wales, on which a desultory conversation took place.

Mr. M. A. Taylor rose to give his reasons why he had the preceding night voted for the larger sum; it was because he was in hopes that the measure for effecting it, proposed by his Right Hon. Friend (Mr. Fox) would have been adopted: But he assured the House, that he did not vote for the sum of an hundred and twenty-five thousand pounds on the idea of the Right Hon. the Chancellor of the Exchequer, that the debts of the Prince were to be paid off by so very slow degrees as to leave some of them existing for so long a time as twenty-seven years. This, he said, could not be considered as relieving the Prince, or rendering his situation more easy; it was not relieving him in the manner Parliament should do; for it only held out the name of relief, while it left him nearly as much embarrassed as ever.

He wished to throw out for consideration, notwithstanding the unpopularity attached to it, whether it would not be better for the Prince and for the Public too, to have the debt put in a way of immediate liquidation, the various items being first submitted to the investigation of Commissioners to be appointed by Parliament; for he thought it very likely, that, if fairly ascertained, they would not amount to the sum given in. Most of the Gentlemen in that House, he said, were well acquainted with the nature of those things, and could tell how borrowed money was to be paid, and how articles got on credit were always charged, particularly to a person of the Prince's rank. *Mr. Taylor* enlarged upon the extortion and

and frauds to which the Prince was subject, and exemplified it by the recital of a matter of fact which had come within his own immediate knowledge.—“A friend of his, caught with the elegance of a pair of buckles in a certain shop, went in to buy them; the shopkeeper demanded four guineas and a half, which the gentleman thinking an exorbitant price, declined giving; but still retaining a wish for the buckles, returned in a few days and asked for them, when, to his surprise, he was informed that the Prince of Wales had taken a liking to, and sent for them, and that he (the shopkeeper) had let his Royal Highness have them for *fifteen* guineas.” It was therefore, Mr. Taylor contended, for the interest of the Prince and the Public, to ascertain the extent, the nature, and the grounds of the debts; and that being done, the Parliament should pay them, and make the Prince an allowance—sufficiently splendid, but not so splendid as they would, if no such incumbrances existed. As for the plan of the Right Hon. Gentleman (Mr. Pitt), it would not extricate him, and he would have again to submit similar demands to Parliament.

Colonel Stanley said, that if he had been present the preceding night, he would have voted for the smaller sum, because he conceived that a profuse expenditure of the public money would do more mischief than all the seditious pamphlets that had been published for seven years past.

Mr. Curwen gave notice, that he should follow up on a future day what he had said the preceding night, and propose that the whole of the sixty-five thousand pounds should be applied to the liquidation of the Prince's debts. And one reason of his doing this was, that he was certain many of the creditors would take less than their demand if they were offered prompt payment.

Mr. Jolliffe said, that he should feel it a duty he owed to himself and to the Public, to state the reasons that induced him to vote for the sum of one hundred and twenty-five thousand pounds, as the establishment of the Prince of Wales. That a Prince of Wales may live with comfort, as well as some splendour, on half that sum, is certain; that he may live with more comfort, because with less splendour, even on a quarter of that sum, is true; but as the House and the Public have thought it necessary that any Prince of Wales should have at least one hundred thousand pounds a year over and above the revenues of the Duchy of Cornwall, he was astonished that there could be a moment's haggling, or a syllable of dispute, about the addition of twenty-five thousand pounds to a Prince of the many and known excellencies of the

the present Prince of Wales. What was absolutely necessary for bare maintenance was small; but when the country chose, for their own state, for their own magnificence, that the Heir to the Crown should appear with splendour, to dispute about twenty-five thousand pounds to a person of the elegance, munificence, and taste of the Prince of Wales, was beyond his conception—what he could not have suspected in that House of Commons. That one hundred thousand pounds a year was necessary or proper he did not mean to state, but he took it on the universal position of every body, that that sum was necessary; and if so, he was amazed that a dispute on this occasion should have arisen respecting the remaining twenty-five thousand pounds. How it came that a Prince of Wales was ever considered as a person of such necessary large expence, he would not pretend to determine, because, positively speaking, he is no public character; but, on the position that one hundred thousand pounds is not more than enough for any Prince of Wales, he must take leave to say, that one hundred and twenty-five thousand pounds is not too much for this. But he said, what chiefly called him up to speak was, the manner in which the Prince had been treated, which he conceived to be unjust and illiberal in the highest degree.

The Right Hon. Gentleman (Mr. Pitt), whose epithets were not of so coarse a nature as some, but not the less severe, though he did not knock down with a bludgeon, he wounded ten times deeper with a razor. He had, in his manner, if not in precise words, used every ill-natured expression he could utter. The other Right Hon. Gentleman (Mr. Fox) had positively stated a breach of engagement on the part of the Prince in the message that House had received, that no farther debt should be incurred. Good God, Sir, said he, that such a reproach should come from such a quarter! There may be faults to which we may not be subject ourselves, which it is but charity to overlook in others; but of all men living, that that Right Hon. Gentleman should condemn the Prince for being in debt, and then, on the promise of a future amendment, that he should err again, is the last of extraordinary measures which he could have suspected him to be guilty of. What, Sir, is this wonderful unpardonable offence? He contracted a debt (a small one in the comparison of the power of this country to pay); he had not the controul of his own income; it has ever been at the disposal of others, and when that debt was paid, he incurred in some years a new incumbrance. The Prince does not affect to be more than man, and therefore he is subject to the frailties of young

young men, and they are slight ones. Is there a man here who has been able precisely to keep every pecuniary engagement that he has been induced to make? I wish, Sir, said Mr. Jolliffe, that we had any of us half the good qualities of the Prince, and not more faults. Is there any man who hears me who would think this an unpardonable fault in his son? But is there any man who can boast he has a son like the Prince? He is the first Gentleman—the most polished, the most gracious, the most good-natured and benevolent of men. But, beside, he is Heir Apparent to the Chief Magistracy of the country; and we have been haggling all night whether the nation should grant to him, to maintain and keep up an establishment, not of his own forming, twenty-five thousand pounds. But, Sir, the most affronting part of the whole transaction is that where fifty thousand pounds was proposed as the jointure of the Princess, there was almost an universal cry of *nemine contradicente*. So that after you had been squabbling about twenty-five thousand pounds to the Prince, who is Heir Apparent to the throne, who was born and bred up among you, whom we all know, and most of us with the utmost familiarity, whom we ought to love and esteem, as an affront to him we are to vote, without a dissenting voice, fifty thousand pounds a year to the Princess after his death, whom we have scarcely seen, of whom we know nothing; who may be as excellent as she is literally fair, but who may be the direct reverse. He must say, that expressing unanimity on such an occasion, after what had passed, was a positive affront to the Prince, because it would be marking not their inability, but their disinclination. He could mean no disrespect to the Princess, but as he wished respect to the Prince, he could not suffer this vote to appear to pass with perfect unanimity.

Mr. Hawkins Brown approved of the smaller sum, on the ground of the necessity of the most rigid economy, in order to enable the country to support the expences of the present contest, and 25,000*l.* a year, in such times as the present, was a very important consideration.

General Tarleton thought that his Majesty's ministers had managed the nuptials and establishment very badly, or, to use a vulgar expression, put the cart before the horse. They should have provided for the establishment before they brought the Princess over to share in the bad fortunes of the Prince. In private life, no father of honour would agree to his son, if deeply in debt, marrying any woman. This came home, he thought, to the ministers, in the present case.

Mr. Whitbread said, that he had the preceding night abstained from speaking, lest he should have been betrayed into any

any thing that might be unpleasant. He now wished to ask from the Right Hon. Gentleman, why the establishment of the Prince was dated from the 10th of October last; this he conceived to be no less than a fraud upon the Public. An Honourable Gentleman (Mr. Jolliffe) had said that their conduct towards the Prince was liberal, contrasted with that which they had observed to his Royal Consort; if the Prince was in a state of discredit with the House, they had not put him in that situation. He could not help thinking that his Royal Highness, after the solemn pledge which he had formerly given, was extremely ill-advised to put his sacred word at hazard by the present application. The only way to enable him to retrieve his credit was to give him an establishment of 100,000*l.* out of which he might make provision for the liquidation of his debts. He must also remark that it was extremely indecent to advise his Royal Highness, under his present circumstances, to take up an expensive establishment, before he knew whether that House would be disposed to grant a sum adequate for the purpose. He must conclude with saying, that retirement in the Prince's case was infinitely more honourable than court splendour. As there were virtues, which no obscurity of station could shroud, so there were likewise circumstances, which no splendour of rank could veil.

The Chancellor of the Exchequer explained the circumstance of the establishment being dated from the 10th of October, by stating that it was occasioned by the extraordinary expences necessarily incurred in the first instance, and the length of time during which the arrival of the Princess had been expected.

Mr. Whitbread expressed himself satisfied with this explanation, but said he found upon the table an account of 68,000*l.* for plate and jewels, when the sum allowed was only 27,000*l.*

Mr. Grey said, that no doubt the House would be ready to make a liberal provision for the past, if they saw any promise with respect to the future. But what must they think when they found, that the Prince, on the eve of his present application, had not only exhausted the additional sum granted for his establishment, but contracted a new debt of 68,000*l.*? He concluded with moving, that instead of 65,000*l.*, 40,000*l.* be inserted in the resolution.—The amendment was negatived.

Mr. Hussey then moved an amendment, "that a sum be provided, by a sale of part of the land revenue of the Crown, or of the Duchy of Cornwall, sufficient to replace the same;" which, after a short conversation, similar to that which took

place previous to the discussion in the Committee of the preceding day, was also negatived.

The original resolutions were then put and carried, and a bill ordered to be brought in, in pursuance of the same.

In a Committee on the Poor Relief Bill, a division was moved on one of the clauses, when, there not being forty Members present, the House of course adjourned till Monday.

HOUSE OF LORDS.

MONDAY, May 18.

Heard counsel on a Scotch appeal, Chalmers *versus* Ross. Adjourned.

HOUSE OF COMMONS.

MONDAY, May 18.

The Call of the House was deferred to Thursday se'nnight. Agreed to go into a Committee of Ways and Means, and of Supply, on Wednesday next.

A new writ was ordered for the Borough of Shoreham.

ADDITIONAL ALLOWANCE TO SOLDIERS.

General Macleod rose to make the motion, of which he had on a former day given notice, relative to certain allowances granted by his Majesty to the army now serving in Great Britain, without the consent of Parliament. He claimed the candour and indulgence of the House, as the question was of the greatest constitutional importance, and he lamented that a Right Hon. Gentleman, the Secretary at War, was not in his place to give the necessary explanation. What he had to urge he was aware was not likely to conciliate the favour of the Right Hon. Gentleman opposite, nor could it be agreeable to any of his Majesty's ministers, for it implicated them in common with an illustrious Personage, for whom he had the greatest respect, in a suspicion of negligence or criminality. Of late the astonishing increase in the pay of the soldiers had become an alarming and dangerous precedent, not so much indeed from the quantity of money granted as the manner of it. There is an abuse of words, which, from long habits, forms an abuse of things; and so it was in the present instance. It was the language of that House, and indeed it is the common language of the day, to call the army "*His Majesty's army*;" and so far as the money passes through the hands of his ministers, and the soldiers are subject to his command and discipline, it is his Majesty's army; but in the general sense it is the army

of the nation. In fact, it is dependent on the Parliament for its existence ; for if the Parliament were at any time to refuse the supplies for its support, it could no longer be embodied. By taxes on the people at large the money is raised for its support, and a regular account is obliged annually to be given to Parliament by his Majesty's ministers of the mode in which the money granted for its support has been expended. It so happens that this law, which is so essential in the constitution, for the prosperity and safety of the nation, has been twice violated in a shameful degree. In 1792, an extra allowance for bread had been allowed to the army serving in Great Britain ; first of three halfpence, and soon thereafter of another additional penny ; amounting, together, to twopence halfpenny per day. For meat an extra allowance had been made of whatever that article of provision might exceed fourpence halfpenny per pound. This would amount, on the lowest average, to three halfpence per pound. But in order to calculate the just and full amount of these extras, it would be necessary to ascertain the number of men in arms, in the pay of Government in this island. He supposed he was greatly under the mark when he stated the army at one hundred thousand men ; but this he should take at a very moderate average, unless he should be set right by some of his Majesty's ministers, who, from their official situation, might possess the means of exactly knowing the truth. After a short pause, as I have no answer, said the General, I shall suppose that the army, at a medium, consists of one hundred thousand men, which, at the extra allowance for bread and fundries for 1792, was 379,600*l*. This sum was granted by his Majesty without the consent of Parliament. A new allowance, without the consent of Parliament, was granted for 1795, for the following items :

For bread	£ 151,840
For meat, of which it is impossible to make any precise or definite estimate	227,760
	£ 759,200

Half of this, though originally granted without consent of Parliament, had been ratified by its subsequent approbation. The new allowance, lately granted without the consent of Parliament, by itself amounted to 379,600*l*.

General Macleod did not say, nor did he think, that the extra allowance to the soldiers was more than the exigency of the times demanded : In a time of great general scarcity, every considerate man must wish that some allowance of this nature should be given to the privates in the army. It was not the

measure itself therefore, but the mode of carrying it into effect, that he condemned; and that on the plain and obvious principle, that it was not constitutional for the executive branch of government to grant money for the support of the army, without the knowledge and consent of Parliament. He had made the British constitution his particular study from his earliest years; and if his understanding did not wholly misguide him, the support of the army depended altogether on monies granted by Parliament. Its very existence from year to year depended on the breath of Parliament that passed the Mutiny Act. The name of his Royal Highness, the commander in chief, had been abused to an unconstitutional purpose. Why did not some of the ministers tell his Highness, that the measure in question was unconstitutional? A simple mandate from the Secretary at War—scarcely so much—an order by a clerk in the War-office, countersigned indeed, afterwards, by the Secretary at War, had laid a burden on the people of this country of near a million sterling! This burden was laid, not in the recess, but during the sitting of Parliament, as if a studied insult had been intended, or at least a precedent sought to be established, by which ministry might at any time take the money of the people without the consent of their representatives. It was the same thing, General Macleod insisted, whether an extra allowance were made in money or in provisions; with this difference, that if a discretionary power were granted to the officer, of laying out that extra allowance, the soldier cannot be persuaded that he is not cheated. Again, if the officer were to watch strictly, and take care that nothing but the coarsest pieces of meat should be given to the soldiers, as directed by Government, he would subject himself to a most invidious task: Nor would a soldier willingly forego in better times, when provisions were cheaper, an extra allowance granted at any time.

The mode in which the extraordinary allowances in question had been granted to the army, had a natural tendency to impress the army with conviction, and the corresponding sentiments, that they depended for every comfort and douceur, not on the virtue and patriotism of fellow-subjects, their representatives in Parliament, but on the royal bounty. It would answer every patriotic, humane, and salutary purpose better, that 10d. or a shilling a day should be extended to the men, by a vote of Parliament. Some handsome addition to the pay of the soldier was loudly demanded by the increased price of all necessaries, or, in other words, the gradual and rapid depreciation in the value of money. When the pay of the soldiery was first regularly fixed in the time of Oliver Cromwell,

at least in the beginning of the reign of Charles II. it was fixed on the average of what a journeyman, in any common trade, might gain, *communibus annis et locis*, throughout Britain. These things considered, no Gentleman would grudge an addition to the pay of the army; but let this addition be made in a constitutional manner. By the present unconstitutional mode that has been adopted, three great disadvantages or grievances are incurred: First, the people pay an additional tax. Secondly, the price of provisions is enhanced, by the certainty the butchers have, that the soldiers have no other interest than to pay any price that is demanded; and thus too a distinction and rivalry is established between the army and men in civil stations, as in the case of barracks, but which, in all cases, ought to be avoided. Thirdly, what was worst of all, it was by such strides of the executive power over the popular and aristocratical barriers of the constitution, as in Spain, the French monarchy, Sweden, Denmark, and almost every country in Europe, that the people fell, helpless, though often voluntary slaves into the hands of courts.

General Macleod put the following as a case equally possible and important: Suppose his Majesty very honourably should amass a large sum by savings from his Electorate of Hanover, or legacies from his Royal and Noble relations in Germany, would the House of Commons, would the people of England permit that this sum should be expended in raising new troops, or in donations to those already on foot in Britain? Should indefinite supplies be granted without consent of Parliament to the heads of armies, farewell to freedom. It would be a glorious attainment, and most salutary to the constitution, if the additional allowance to the army could be suspended, if but for one half hour, until it should be confirmed and sanctioned by the voice of Parliament. For one precedent, good, perhaps, in certain circumstances, led to another, till an accumulation of mixed precedents gave way to the establishment of a bad principle.

Omnia enim exempla mala à bonis initiis orta sunt.—Jul. Cæs. apud Sallust. Bell. Catal.

The General therefore moved,

“That the House do resolve itself into a Committee of the whole House, to take into consideration certain circular orders, issued on the 18th day of April last, by his Royal Highness Field Marshal the Duke of York, to the General Officers commanding districts; also circular orders of same date, sent from the War Office; and also, other circular orders sent from the War Office, dated April 20th, all respecting allowances lately granted by his Majesty to the army, without the advice or consent of Parliament.”

As he did not mean to take the House by surprise, he read the motions, which, should the motion then proposed be carried, he should have the honour to make in the Committee :

“ 1st. Resolved, That it is the opinion of this House, that it is contrary to the principles of the British constitution, in his Majesty's ministers, to advise him to augment, under the terms of gratuity, additional allowances, or any other denomination whatever, the pay of the military forces serving within this kingdom, without previously consulting Parliament, then sitting, or without submitting such augmentation to the consideration of Parliament, if it should have been necessary during a recess, as soon after the meeting of Parliament as circumstances can admit.

“ 2d. That an humble address be presented to his Majesty, setting forth, that by papers officially laid before this House, it appears that his Majesty has lately granted certain allowances of money or provisions to the troops serving in Great Britain; that doubts and jealousies had arisen thereon; praying his Majesty to order to be laid before this House the reasons and causes of such grant, that it may be duly considered by Parliament; and assuring his Majesty, that his faithful Commons are ready to make every necessary provision for the army in a constitutional manner.”

Mr. Courtenay seconded the motion. He considered the conduct of his Majesty's ministers as inimical to the constitution and liberties of Great Britain, and warranting an impeachment. As his Hon. Friend the Secretary at War was not in his place, he was inclined to believe that the measure had not been sanctioned by his approbation; and although from his official situation he was perhaps compelled in a certain degree to submit, he supposed his Hon. Friend considered it as derogatory from his constitutional integrity. He could not, however, avoid one conclusion from his absence, which was, that there was a mutual good understanding in cases of this sort, between the Hon. Secretary and his Right Hon. Friend; for, as upon a former day, when the Right Hon. Gentleman opposite (*Mr. Pitt*) was absent upon a question in which he was more materially concerned, his Hon. Friend (*Mr. Windham*) had undertaken, with a pretended incapacity, to justify his conduct, and assert his cause; so now he suspected the Right Hon. Gentleman opposite would rise with a pompous and artful extenuation of his Hon. Friend, professing at the same time his ignorance of the affair, and his inability to vindicate his friend so properly and effectually as might have been the case if the Hon. Secretary had himself attended.

Recurring again to the subject before him, he descanted at length on the abuse of power by this additional allowance to the army, and illustrated his argument by a quotation from the luminous *Gibbon*, upon the imperial donatives of the Romans,

mans, whereby the hearts of the soldiers were corrupted, and the liberties of the Roman people overturned. In the Roman emperors, these donatives, he observed, were more excusable, because they concentrated in themselves the exercise of all dominion; but in Great Britain, where the absolute rule and government is vested in the People, or by them entrusted to their Representatives, it more especially became their duty and their interest to exert their prerogative, and check the evil in its growth. Was it not surprising, he asked, that these allowances should have been granted without the least intimation to Parliament? It had lately been said, that Parliament entertained an instinctive respect for the message of the King: Surely then a message might have been brought down by his Majesty's ministers, expressive of their intentions when they could have confided in the instinctive respect and veneration of the Parliament for their support. Formerly the Parliament sat there to exercise their reason, but now they obeyed a stronger impulse, and decided by instinct. Reason was a slow comparative faculty, which was formed upon established principles by experience and deliberation; whereas instinct is a bold, intuitive, and subtle quality, which distinguishes at a glance, and brutes have the happiness to enjoy it in a greater degree than man. Fortunately for us, though we have discovered the vast utility of this admirable talent, henceforward we may hope to act in an *inverse ratio*, and as our reason declines, find our instinct enlarged, so that we may say with the Poet,

" And Reason raise o'er Instinct as we can,
In this 'tis God directs, in that 'tis man."

Again he returned to his argument, when the Secretary at War entered. He was happy, he said, for various reasons, to see his Hon. Friend, since he would not only be able to give the fullest explanation, but, by removing the trouble from the hands of his Right Hon. Friend, bestow more satisfaction, and render it unnecessary for him to return that compliment which was due to his Right Hon. Friend, for having stood up as his representative on a *future* occasion. This lapse occasioned a loud laugh, which Mr. Courtenay heightened, by exclaiming, *Naturam expellas furca tamen usque recurret*. He repeated what he had before supposed, that his Hon. Friend had considered it as a derogation, and condemned the principle, not merely as an abstract principle, which even then he should have disapproved, but as a principle which had been acted upon, and therefore to be condemned the more.

He

He then followed General Macleod in the train of his arguments, but urged them with more rapidity and force, and finally concluded by giving his firm and unqualified support to the motion.

The Secretary at War apologized to the House for his absence at the commencement of the business, from which he felt the inconvenience of not having heard all the animadversions directed against himself, and, in consequence, of not being prepared to reply to a great part of what might have been said. The Hon. Gentleman who had spoken last, had drawn from the measure a great deal more than he thought it contained; he was a good performer, and had fetched from the instrument strains which could not have been expected. For his part he could not discover the degradation to himself, the unconstitutional policy, the danger among the soldiers, or the injury to the people, which the Hon. Gentleman had described, as attached to the measure. It was a measure dictated by the urgency of the occasion. If there was any degradation in the way in which the orders came to him, it was a degradation inseparable from his office, since they had come through the regular and customary channel of communication. The objections urged might be divided into two parts, first, as they applied to the general principle, and secondly, to the particular measure. The objection on the ground of principle, if carried to its utmost extent, would equally apply to every allowance in kind. It had always been usual to give bread to the soldiers while in camp.—This was done from the consideration that Government might by contract procure a large quantity of bread more advantageously than the poor soldier could purchase in retail. So, in the present case, Government might be able to find meat at four-pence halfpenny per pound, when the soldier going to market could not have it at the same rate. In a great part of the country there was no rise, which would render it necessary for Government to pay more than four-pence halfpenny, and in a few places where there was a rise, he submitted to the House whether the propriety of granting the relief was not justified by the pressure of the times. As to soldiers purchasing at what prices they please, sufficient precautions were taken against that abuse. The House had now the whole of the fact before them: It was for them to consider whether it was of so serious a nature as to justify the alarm which had been attempted to be raised on the subject. He referred to the precedent of the augmentation which had taken place in 1792. As to the principle, no objection would apply on that score, which would not equally apply to every regulation granting provision in kind.

Mr.

Mr. Fox said, that the question was exceedingly simple, and on which he conceived there could not be two opinions in the House.

The question was, whether, during the sitting of Parliament, it was fitting, upon any pretence of urgency, to grant an augmentation of pay to the army? As to the point of economy, by granting provision in kind, that had nothing at all to do with the discussion. The present was a direct addition of pay to the army. His Hon. Friend had said nothing of the allowance granted for bread. He had confined his remarks to meat, which he had supposed could still in most places be purchased at four-pence halfpenny per pound. He was afraid that such was not the case. With respect to bread, a great advance had unquestionably taken place; the loaf which formerly was sold for 5d. was now sold for 9d. which made on every loaf an advance of 4d. This must necessarily be attended with a very great expence. He would not say that the allowance was improper, or not warranted by the pressure of circumstances; but ought not the relief to have come from Parliament, and not from the Crown? His Hon. Friend had referred them to the augmentation which had taken place in 1792; he lamented the fact at the time, and much more so if it was now to be adduced as a precedent. He considered likewise, that the present might be used at a subsequent period, as a pretence for a more alarming advancement. He thought that it was a thing fit to be done in itself, if it had been done in the proper way, not by an interference of the Executive Power, but by the wisdom and authority of Parliament. If Parliament had not been sitting, the pretence of the urgency of the occasion might then with some shew of plausibility have been urged as a justification of the measure. But how could such a pretext be brought forward at a time when Parliament was sitting, and when the measure had taken place not only without their consent, but even without the notification of a message? It might at a future period be urged as a pretext for a similar advance, that a precedent had been afforded in 1795, when such a measure had taken place, of which no official notice had been given to the House, till they were afterwards called upon to pay the expence incurred in the Extraordinaries of the Army, without having any opportunity afforded them for the exercise of judgment or discretion. Upon the whole, he could not help considering this measure as an attack upon the constitution, of that nature which called for the most serious attention of the House.

The Chancellor of the Exchequer said, that the Right Hon. Gentleman appeared to have mistaken the question, as stated

by his Hon. Friend. He remarked that he had taken notice of bread, for this plain reason, because while in the camp they were in the habit of receiving the same allowance of bread. So that in the present instance, the measure adopted was only accelerating to them a relief under the pressure of extraordinary circumstances, of which they must at any rate have been in possession in the course of four or five weeks. The reason why no message had been sent to the House, was because no estimate could be made out of the amount of the relief, which it might be necessary to grant. It was entirely a contingent relief, varying according to the circumstances of place and time. He admitted that it would have been more regular to have previously conveyed some notification to the House, but where no estimate could be made out, nothing was more common than for Parliament, when voting the Extraordinaries of the Army, subsequently to give their sanction to a measure adopted upon the urgency of the occasion. If the present was a thing right to be done, it was a thing which must necessarily have been done without estimate. He referred to what had taken place in 1792, when the Right Hon. Gentleman had brought forward exactly the same sort of arguments, and when the House, by their silence, had expressed their approbation of what had been done on the occasion.—The Hon. Mover had said, that it would have been much better to have granted an augmentation of pay; this was surely a strange argument, that it would be better to grant an augmentation of pay, which, once given, could not be taken away without hardship, than a mere temporary relief, in the nature of a loan, adapted to the extent of the occasion, and ceasing with the exigency of the times which gave it birth.

General Smith said, that what he heard from the minister, had much alarmed him. It increased the jealousy he always had of the Executive Government in affairs of this nature; and he thought it ought to increase the jealousy of the House. He never would give his consent to any plan for submitting to the demands of soldiers with arms in their hands, even although they should demand what was their right, because that tended to establish a bad and an alarming precedent. If soldiers demanded any thing with arms in their hands, it was the duty of Government to resist them boldly at once; because if the point was once established, that soldiers had what they demanded while under arms, they would soon be brought to demand what they never ought to have. His rule, therefore, in such cases, would be to resist and subdue those who thus demanded, and, if just, to grant such demands afterwards.

The Chancellor of the Exchequer said, that after what had been just said by an Honourable General, it became necessary for him to allude to a fact which applied to the tendency of the argument of the Hon. General. Some of the military had, in a particular instance, made demands in the manner alluded to. The utmost vigour had been used on the part of the Executive Government, to bring the insurgents to a due sense of their duty, and he could assure the Hon. General, that they were all quelled before any thing they asked was granted to them.

General Smith declared himself glad to hear this. But when the Chancellor of the Exchequer talked of the instance alluded to, he did not take the whole subject into view. Instead of there being only an instance, there were many. The case was general over the country where the military were stationed.

Mr. Martin professed that he had only a few words to say upon this subject. He was not prepared to say much, even were he so inclined; for when he came to the House, he was not aware that the subject was to be debated that day. He heard the Hon. Gentleman who brought the matter forward; he gave the best attention he was able to his arguments, and also to those of the Hon. Member who seconded the motion.— They made considerable impression upon him, and he wished to hear them answered. When the Secretary at War rose, he expected from his talents and from the situation in which he stood, that a complete answer would be given. The Right Hon. Gentleman had spoken for a considerable time, but after all he said, he must confess, he never heard less said to the subject, in the same space of time, in his life. When the Chancellor of the Exchequer rose, he formed another and similar expectation of him, but he must again say, that in his mind that Right Hon. Gentleman said as little to the subject. This was a measure that appeared to him to be as unconstitutional as any that ever came for discussion before that House. It was a very alarming one. The manner in which ministers had treated it, made it still more so. It was not however new, for every four or five days something hostile to the constitution came from his Majesty's ministers, and was always defended by unconstitutional arguments. He hoped there would be a division upon this question, and under that hope he should stay in the House until seven in the morning, to give his vote upon it.

General Tarleton said, that Gentlemen on the other side had endeavoured to involve the question in difficulties which did not belong to it, but they had not touched on the motion itself. If he might be allowed to make use of a military phrase,

he would tell his Majesty's ministers, that, in the present measure, they fired at the out-posts, without endeavouring to grapple at the main body. Perhaps ministers had a constitution of their own; but by the old constitution of England, he understood that the King had the command of the army, the disposition of its discipline, and the promotion of its officers; but that the House of Commons had the purse, by which that army was paid, and the power of voting for its number and continuance; therefore when any addition was wanted, either to the number, or the pay, the House of Commons was the power to apply to, especially when Parliament was sitting. To all royal donatives to armies he objected, for they had never been much in use, except when they preceded, at a small distance, the downfall of an empire. The House ought to look at the effect which this measure would unavoidably produce; next year we should have to vote pretty nearly a million of money to pay the expence of it. In one word, it was part of the system which ministers had long ago adopted, and which had been manifested by the building of barracks all over the kingdom. By the landing of the Hessian troops, and the arguments in support of such measures, the whole compounded, proved that the present ministers aimed at introducing an entire military government in this country. As to the calculation of his Hon. Friend (General Macleod), which the Chancellor of the Exchequer asserted to be erroneous, he would in part agree with him in this particular; but he would say, that if it was too high in one instance, it would be found too low in another.

Mr. Maurice Robinson said, that if the payment of the soldiers was found to be too little, it ought to be increased; but he considered any thing given to them as a boon, totally wrong.

Mr. Steele said, if all the troops had been in the field on one day, he apprehended, there could have been no objection to what had been done. The question at present was, whether, under all the circumstances, what had been done in this case, was necessary? He stated some points in which the expence had been over-rated; and concluded with declaring, that in his opinion there was not the least necessity for the motion.

Mr. Grey said, the amount of the sum which the measure might call for, did not appear to him so important, as the principle which it tended to maintain. That the House of Commons should hold the public purse, appeared to him to be a principle never to be lost sight of, or given up. This was exemplified by the uniform practice of Parliament. If the House of Lords made the slightest alteration in any money

Bill

Bill—a common turnpike-road cut for instance—the House of Commons, upon principle, invariably rejected the Bill when it came to them. All that part of the argument, therefore, that referred to the smallness of the sum, went, in his mind, for nothing; for the principle of the thing was all. Even were it otherwise, he should be bound to say that ministers defended a bad principle by a false assertion with regard to facts. The Right Hon. Gentleman who spoke last had said, that if the troops were all under arms in camp, there would have been no objection to the measure. How did that stand? if it had been for one month in that way, the principle of giving the allowance, without intimation to Parliament then sitting, would have been the same as if they had been all in quarters; and the question was, how far the principle of granting an allowance in this way could be defended? A great deal had been said on the precedent, which ought to make the House cautious and wary how they suffered precedents to accumulate; for the Chancellor of the Exchequer had observed, that a debate arose on former occasions on this subject, and as the House had not disapproved by a vote of the conduct of ministers, thus the silence of the House was to be construed into positive approbation. If such was to be the construction, the House ought to look at the effect of it. This allowance had been made without any communication to Parliament, and it was for the House to consider whether that was to pass unnoticed. It was said to be impossible, from the circumstances, to prepare an estimate. That might be true; but was it impossible to make any communication to the House, by way of a message from his Majesty, stating the necessity of making some additional allowance, leaving the expence to be made good by Parliament, when the amount should be ascertained? Most unquestionably nothing could have been more easy or more regular. Indeed there appeared to him to be too much management about this business on the part of ministers, to attribute the whole of it to mere accident. If such a grant was necessary, which he by no means denied, he should have been ready to vote for it. He did not agree with the Hon. General as to the prudence of refusing what was right, because it was demanded by men under arms; he thought that if men were driven by necessity to claim what was right, they ought to be attended to, whether under arms or otherwise. But he thought that ministers had neglected their duty in not making a communication to that House, and therefore he should vote for this motion.

Mr. Francis said, he should be sorry to let the present business pass without expressing his sense of it, and declaring how little

little he was satisfied with the pretences set up by the King's ministers in defence of their conduct. He wished not to embarrass the consideration of the main question before the House, or to let their attention be diverted from it, by agitating collateral questions, which, though connected with it, were not essential, or not immediately the subject of debate. The question was, not, whether the measure in itself was proper or improper, necessary or unnecessary; neither was it, how far the ministry might be justified, under pressing circumstances, to take the steps they had done, if Parliament were not sitting. The true question was, whether the King's ministers were authorised to bring a great charge of any kind upon the Public for any service not voted by Parliament, and without the approbation or consent of that House, or any previous application to the House, while Parliament was actually sitting? If any principle in the constitution of this Government, or in the institution of the House of Commons, was clear and indisputable, Mr. Francis said, it was, that they alone had the command and disposal of the public purse, and that the Crown had not the command or disposal of it for any purpose whatsoever, and least of all for the purpose of augmenting the pay of the army, by bounties or allowances of any kind. For the Crown, therefore, to take upon itself to dispose of the money of the subject, in favour of the military, was not only to invade the essential privilege and duty of that House, but to invade them for the worst and most dangerous of all purposes; that is, to secure the attachment of the army to the Crown, in contradistinction to the House of Commons, by making them consider the Crown as the source of every advantage they enjoyed, or expected to enjoy. Such a power, in the hands of designing Princes hereafter, or of wicked ministers at this time, would soon make the House of Commons odious to the army, and useless to the people. The Chancellor of the Exchequer had said, that previous application could not be made to Parliament, because the amount of the expence could not be exactly estimated. What then? The object might have been approved—The service might have been voted, and authority given to the Crown to provide for it. But the Chancellor of the Exchequer said, that enough was done by resorting to the subsequent sanction of the House. Suppose the House, on serious consideration of the subject, should refuse to give that sanction, should refuse to provide for the expence already incurred, or should order it to be immediately stopped, what situation would they stand in then? On one side, the Crown would entitle itself to the gratitude and affections of the army, by acts of bounty, liberality, and patronage;

patronage; while, on the other, the House of Commons would necessarily become the object of their hatred, and possibly of their revenge. Gentlemen ought to consider seriously the consequence of suffering the two powers to be placed in that situation with respect to each other, and of establishing in the minds of the army so invidious a ground of comparison between them. The Chancellor of the Exchequer had said, that there was a precedent for this proceeding—that the House on a similar occasion had approved of the measure; Mr. Francis, on the contrary, contended that paying a charge incurred did not necessarily include approbation. In the case of money already spent, it might be an act of necessity. The House might have no choice left. The truth of the principle set up by the Chancellor of the Exchequer would soon come in question on another subject. Supposing the House should resolve to clear away all the incumbrances which had lately been under their consideration, would the minister, would any man affirm, that by discharging the debt, they approved of the objects, or sanctified the principles on which it was incurred?—Would he say, that by doing so, they established a precedent, by which similar incumbrances might again be incurred, and ought to be provided for? If that proposition could not be asserted, the Right Hon. Gentleman's precedent was of no use to him. It proved nothing but that the House had submitted in a case of necessity, and that it was so much more their duty to take care that the ministry should not have it in their power to appeal to such precedents again.

The Solicitor General thought that the only question in this case was, whether what had been done was prudent? The Executive Government had not in this case, in his opinion, taken upon themselves the distribution of the public purse; for the whole proceeding had afterwards been submitted to Parliament, and therefore he thought the motion unnecessary.

Mr. East said, that the question before the House was, whether they should go into a Committee to inquire? he should vote against that, but not upon the ground that he thought his Majesty's ministers ought not to have submitted the matter to Parliament before it took effect; on the contrary, he thought they ought. But the ground of his vote was, that he could not impute to ministers any improper motive for what they did.

Sir Horace Man thought that the use that had been made of the "Royal donative," tended to create an invidious distinction between the executive power and the deliberative capacity of that House. He applauded highly the exertions of the Executive Government, to save the freedom of this country; and

and having contrasted it with the conduct of those who seduced the military in France, concluded with giving his negative to the motion.

Mr. Courtenay explained, as did also *General Smith* and *Sir Horace Man.*

General Macleod took a view of the arguments against his motion, and replied to them.

Sir William Pulteney thought that the measure which ministers adopted upon this occasion, was a thing right to be done, but that the mode in which they did it was irregular; and therefore, to avoid any difficulty about determining by a vote upon the subject, he moved the previous question.

The House divided :

<i>For the previous question</i>	67
<i>Against it</i> - -	22

Adjourned.

HOUSE OF COMMONS.

TUESDAY, May 19.

Mr. Barham asked why some papers, for which he had moved, were not laid on the table?

Mr. Secretary Dundas said that these papers had never been in the office.

Mr. Grey said, that the Proclamations of *Sir John Jervis* and *Sir Charles Grey* not having been acted upon, never were returned to the office. As they were avowed, he had no objection that the Honourable Gentleman should bring them forward in any other way.

RECAL OF EARL FITZWILLIAM.

Mr. Jekyll. "If it were either my habit or disposition to call the attention of this House to matters of light or trivial import, I should but little deserve to obtain a patient and candid hearing for the object which I now propose to submit to their consideration. But as I feel the importance and magnitude of the question, which it is my lot to bring forward on the present occasion, I place some reliance on their indulgence and attention. At the same time, as I am sensible that it is a subject which has already in a great degree occupied the consideration both of the Public, and of Gentlemen in this House, I shall endeavour as much as possible to study brevity, in stating the grounds and motives which have induced me to bring it forward.

[Here *Mr. Jekyll* was interrupted by a summons from the Black Rod.—*The Speaker*, after his return, stated that the Royal

Royal assent had been given, by commission, to several public and private Bills.]

Mr. Jekyll proceeded. " At the moment that I was interrupted by the summons to attend in the Upper House, I was endeavouring to conciliate the attention of Gentlemen, by stating my conviction how much the subject for their present consideration had been both privately and publicly discussed, and the necessity which I thence felt of intruding upon their time as shortly as possible. In bringing forward this question, it may not be improper to declare that I stand, both politically and personally, wholly unconnected with that Noble Person, whose fate and reputation are involved in the discussion; disapproving even of a great part of his public conduct, and particularly lamenting his secession from that phalanx, to which, for a considerable time past, I have looked as alone capable of effecting the salvation of the empire. When I consider that the question involves not only the character of the Noble Lord, but is connected with consequences that tend to the dismemberment of the empire, I feel it to be my duty to bring forward the subject to the most serious consideration of the House, and I trust they will feel they are called upon not only by their feelings of what is due to that Noble Personage, whose conduct has been called in question, but by the strongest motives of patriotism, and their regard to the most essential interests of the country, to enter upon the inquiry, which I shall propose to them to institute. I have always thought that the Public had an interest in watching over the characters of public men, and in vindicating them from insinuated abuse and unjust aspersions. Public character I regard as public property, ever to be held sacred, till it has openly been forfeited; nor is the stock of public character existing among eminent individuals to be diminished, or frittered away by indirect attack, or consigned to censure without inquiry. If we are to believe the assertion of the Noble Lord, his public character has been impeached by his recal from the high office which he held in the government of a neighbouring kingdom. And here I hope I am not to be told that the prerogative which empowers the Crown to dismiss its officers at discretion, operates as a bar to any inquiry in the present instance. I am disposed to subscribe to the just exercise of the prerogative on all proper occasions. But where the House see a minister stretching the prerogative for particular purposes, and beyond ordinary bounds, I am aware that they are possessed of an inquisitorial power to examine into the grounds of such extraordinary and unwarranted exertion of an authority delegated by the constitution, and, if they shall find neces-

sary, to confine that prerogative within its fair and natural limits. It is particularly the business of the House to watch over the extension of Court influence to that sister kingdom, whose situation forms the principal object of the present consideration. This jealousy of Court influence is a constitutional principle which ought to actuate the Legislature of both countries, and this vigilance to guard against its progress in either, a duty of reciprocal protection which they owe to one another. That on this score there is ground of serious alarm cannot be denied. Let the House only advert to a question formerly brought forward by that great lawyer (Mr. Dunning), whose seat I now unworthily fill, and adopted in a resolution; "That the influence of the Crown had increased, was increasing, and ought to be diminished." It will not surely be contended that the danger is less at present than it was at that former period.

Having said so much to the general principle, I shall more particularly advert to the transaction which has given birth to the present discussion. And I think that it must be admitted that the recall of a Viceroy of Ireland by the Cabinet of this country, in the midst of a session, and at a time that he was acting with the full applause of those whom he was appointed to govern, and that addresses from all quarters were heaped on his table, is *prima facie* tantamount to a charge of not doing his duty. On a former day, when the subject was stated by my Right Hon. Friend (Mr. Fox), though I then happened to be engaged in the country on a professional concern, I have understood that the Right Hon. Gentleman declared in his place, "That whenever the period came for investigation, he should undertake to prove that no blame whatever attached to the ministers of this country for any share which they had in the transaction."—What was this but a charge by implication? Upon that day then it should seem that an inquiry was in the contemplation of the minister, and if the blame of the transaction did not attach to ministers, it necessarily must attach to Earl Fitzwilliam. It would indeed have been a more fair and manly mode of procedure if the Right Hon. Gentleman had come forward, and openly charged the Noble Lord with obstinacy and contumacy, with disobedience to the instructions of the Cabinet here, or disregard to the interests of the country which he was deputed to govern. It might perhaps however, better suit the views of the Right Hon. Gentleman to whisper away the reputation of the Noble Lord, and to insinuate blame of his public conduct. It would well, however, become the House to reflect that, if this procedure be countenanced, there is no public man whose character is safe, or
whose

whose conduct may not by the artifice of a minister be overwhelmed in disgrace or obloquy without the smallest chance of inquiry or vindication. This declaration then of the Right Hon. Gentleman; "that no blame attached to the ministers of this country," I must consider in every point of view as a charge against the Noble Lord. In this light it was considered by the Noble Lord himself, who, in a paper which is published with every proof of authenticity, gives a direct and complete negative to the charge. In this paper, which I shall quote as part of my speech, the Noble Earl represents, that, previous to his assuming the government of Ireland, the Duke of Portland, and the whole of the Cabinet, concurred with him in his opinion on the question of Catholic emancipation; and that, had he found it otherwise, he never would have undertaken the government of the sister kingdom. Under this conviction he sets out and arrives in Ireland: He there finds it impossible, both from the situation of the country, and the opinion of the most respectable individuals, to resist the immediate discussion of the question.—And here it is material to attend to dates. He writes two letters to the Noble Secretary of State, stating to him what was the situation of the country, and the mode of procedure which he should in consequence find himself compelled to adopt. Of neither of these letters was any notice taken, and the Noble Earl drew the conclusion which any rational man would have formed in the same circumstances, from the silence of ministers. Four weeks were suffered to elapse before the Noble Earl received a letter from the Duke of Portland, putting a direct negative on the business. At last comes out the *fons malorum*; the Noble Earl had thought it necessary as a measure of his government to dismiss from office the family of the Beresfords, who, whatever might be their claims in other respects, were at least no favourites with the Public. And here I cannot help noticing a piece of conduct adopted by the Right Hon. Gentleman in the management of this business; the Duke of Portland is the person selected from the rest of the Cabinet, on this occasion, to wound the fame and the feelings of his friend. This is a refinement of cruelty, in which the Right Hon. Gentleman excels; it was not enough simply to murder the reputation of the Noble Lord—the hand of a friend must be directed to plunge the dagger in his bosom. The Duke of Portland, connected with the Noble Earl by habits of early friendship and old political connexion, appeared to be the fittest instrument of the cruel and insidious policy of the Right Hon. Gentleman. "Cruelly," says the Noble Earl in the paper to which I have referred, "cruelly as the Duke of Portland has treated me, I feel no difficulty to

say, that his judgment was deceived before he abandoned me : On whatever ground he has suffered himself to be induced to change his former opinions respecting the politics of this country, and the characters and views of its principal personages, he did change those opinions ; and, in consequence of that change alone, he has been driven to consent to the measure of my instant recal." At last the Chancellor of the Exchequer himself comes forward, and tears off the veil. In a letter addressed to Earl Fitzwilliam he tells him openly the grounds of his removal. He says, " that on the subject of arrangements, he felt himself bound to adhere to these sentiments, not only with respect to Mr. Beresford, but to the line of conduct adopted in so many instances towards the former supporters of Government ; by these sentiments he must, at all events, be guided from a regard to the King's service, and to his own honour, however sincerely he might lament the consequences which must arise from the present situation." Here the interest of the Beresford family, and of the former supporters of Government, is held out as the only ground of dissension ; the question of the Catholic emancipation appears to be a mere stalking-horse assumed by ministers for the convenience of the occasion, while at the same time every hiring paper on the side of ministers was representing the conduct of the Noble Earl on that question as a source of the most serious alarm to ministers, and as pregnant with consequences the most mischievous to the country in which it was agitated ; consequences which could only be obviated by the immediate removal of the Noble Person from office. All the while, says Earl Fitzwilliam, it was the object of the Right Hon. Gentleman " not to strengthen Administration by an accession of character, but to debase, degrade, and disgrace that character ; he did not wish for our assistance, but knowing the importance we gave to the system then pursuing relative to France, he snatched at the opportunity, and made that the means of disgracing our character, and rendering us fit for no other service, but to be his vile tools and instruments." If this turn out to be the fact, a scene of more gross duplicity, of more scandalous duplicity was never exhibited by an artful and intriguing minister in the most credulous or corrupt periods. Here then was a virtual charge, and a recrimination upon which to found an inquiry. But this is not all. In another place, to which the etiquette of Parliament does not allow me more particularly to allude, a Noble Person (Lord Westmorland) condescended graciously and *gracefully* to step forward, and dissolving all the regard which had been so affectingly attached to the oath of secrecy of a Cabinet minister, said that the Chancellor of the Exche-

Exchequer, whom he called by an ordinary and a coarser name (the plain appellation of Mr. Pitt), had assured him "That Earl Fitzwilliam had no authority whatever from ministers in this country for taking the steps which he had done on the Catholic question:"—Nay, he went further, and said, "That they were steps taken, not only without their authority, but even with their positive disapprobation." Mr. Ponsonby in the House of Commons in Ireland, broadly stakes his reputation, "That all measures adopted with respect to the Catholic question under the administration of Earl Fitzwilliam were taken with the previous concurrence of the Cabinet of this country." Here then we have the charge, the defence, and the recrimination, each contradicting the other. Under these circumstances, will the House decline to go into an inquiry, on a transaction which involves the public character of a distinguished Nobleman, perhaps the dismemberment of the empire, and at any rate a great and important constitutional question? Perhaps it was the intention of the Right Hon. Gentleman to degrade the character of public men in the eyes of the nation. It might be part of his system to degrade all those with whom he acted. Where now are his original friends? The degradation of his new allies, he might consider as the best security for their future support. He might feel it to be his policy to degrade others, as it was only from the degradation of others, that he could himself possess pre-eminence. This system he had in many instances attempted to practise, though in all he had not been equally successful. The public voice had reversed the imperious decree, and attached to a removal from office, by that Right Hon. Gentleman, a sentiment very different from that of disgrace. Was the Duke of Leeds considered as disgraced, when he was removed from his office of Secretary of State? Did any degradation attach to a Noble and Learned Lord who was dismissed from the Woolfack, because he would not lend his hand to a dirty job brought forward, I will not say by what Member of Administration, in this House? Was any presumption of disgrace to be formed from the removal of the Duke of Richmond from the Board of Ordnance? Let another Right Honourable Gentleman (Mr. Windham) whom I have seen writhing and agonizing under his new friendships the whole of the session, which to a mind like his, the desertion of principles, and the sacrifice of friendship, cannot but have rendered painful in the extreme, beware of the imputations which he may incur under a similar fate; it does not require the aid of prophecy to pronounce, that he will be the next victim of the insidious policy of the Right Hon. Gentleman.

tleman. Here it may be proper to advert to the unhappy situation of Ireland. The age of bigotry is over; a difference of religious opinions is no longer considered of that consequence which was attached to it by the mistaken and intolerant policy of former times. Of four millions of inhabitants in Ireland, three and a half are estimated to be Catholics, excluded from the common benefits of society on account of their religious tenets; let us recollect the advantages which we derive from that country, with respect to our fleets and armies, and then say, whether we ought to refuse to so a large a body of men those enjoyments, to which, from their natural, moral, and religious rights, they have the most undoubted claims. But not only have these common privileges been refused under former administrations: Oppression has been lately aggravated by insult; a fallacious hope has been held out to them of relief, and they are now to be driven to despair. Their expectations were first excited slightly by Lord Westmorland's Administration, and had since been fully confirmed and cherished even to confidence by that under Lord Fitzwilliam; and at length they are distinctly told, that they are not to look for any redress. And at what moment is this line of conduct adopted to this numerous and aggrieved body of men? At the moment that France has become a great and warlike nation, and is likely to remain warlike for ever; do ministers suppose that at such a moment, they may safely venture to reject the just claims of the sister kingdom, and spurn from them their delegates, without even deigning an answer to their remonstrances? Was that the fit time to deprive themselves of a firm and zealous ally? Have they so soon forgot the example afforded by America on a similar rejection of her claims, and the consequences that followed from the contemptuous treatment of Dr. Franklin? Had they not already plunged the nation into a most disastrous war, on a mere point of etiquette, because forsooth their pride would not stoop to acknowledge Chauvelin, as the Ambassador of the French republic? The language of conciliation, I well know, is not pleasing to the Right Hon. Gentleman; but I will frankly tell him, that if it is not adopted in this instance, he may perhaps lose Ireland. I will not say that I see as yet any insurrection in the country; but I see a sulky and fullen spirit of discontent, which may ultimately prove far more dangerous. I may be told that the government of Earl Fitzwilliam is to be succeeded by a government of sencibles, and that five men and a corporal may march through Ireland; as formerly it was said that a regiment of cowards armed with broomsticks might march through America, without danger or molestation. Such boasts may indeed be

be made in the insolence of long-established and unresisted power—but the Irish are a brave and generous people, easy to be led, but hard and difficult to be driven. The consequence of such foolish and boastful language may be, that the jewel of Ireland may be torn for ever from the British Crown; which would then only retain as a substitute, the paltry bauble of Corsica. Corruption, it was to be lamented, had in former times existed in Ireland to a very great degree. What then must we think of the minister, who attempted to make corruption the cement of the Government; who preferred the interests of a junto, to the welfare of a nation; who wished to govern through families of monopolists, instead of teaching the country to look to their common father, and sought to establish his authority by corruption and intrigue, rather than looking for its support in the affection and confidence of the people? Why is the church of England established here, but because it is the religion of the greater part of the inhabitants? and what danger could arise to the Protestants of Ireland, from a participation of privileges with their Catholic brethren? Strange, that, when ministers might hold Ireland united to this country by a chain of iron, they should prefer to hold it by a very thread! I trust that I shall not this day hear, in opposition to the motion with which I shall conclude, the common-place topics of—the prerogative of the Crown, the necessity of state secrecy, the delicacy of the transaction, and the danger of any exposure of correspondence on public business. If this veil of state secrecy is always to be obtruded before our eyes, there is an end of all responsibility on the part of ministers. My motion will not go to command the whole of the correspondence of ministers, but only such parts as may be sufficient to explain the transaction, and which they, no doubt, will take care to garble and mutilate in the first instance. In another place something was said about the coronation oath, as presenting an obstacle to the measure of Catholic emancipation: But, I will ask, has his Majesty violated his oath, by the constitution granted to Quebec, by the establishment of the Roman Catholic religion in Corsica, and the consequent communication with the Pope, whose Nuncio was avowedly entertained in the country? Does Corsica, which is thus exclusively favoured, supply the British navy with seamen, or send her absentees to enrich England, by spending there the incomes drained from her opulence or industry?

Mr. Jekyll proceeded in a strain of animated eloquence, to remark on the circumstances of the times, which rendered the conduct of ministers towards Ireland particularly impolitic and dangerous. The country was at the lowest ebb of misfortune,
and

and so far from being united in sentiment, that a war carried on with the approbation of a majority in that House, was reprobated as ruinous by a great body of the people.

In what object of their policy had ministers succeeded? They had commenced the war in order to destroy the French republic—the republic was now established—In order to save Brabant to the Emperor, and Holland to this country—both were lost, and not only lost to the confederacy, but in alliance with France. The East Indies were in circumstances of danger. The West Indies exhibited a scene of defeat. Was this the moment to refuse their just rights to three-fourths of a great people, to alienate their affections, and endanger their allegiance?—The minister, whom he had seen come into place in order to destroy corruption, and restore the primitive purity of the golden age; he who so loudly reprobated every species of coalition, they now saw availing himself of all the means of corruption, and inviting coalitions in order to shew that he could dupe them. When he thought the fit moment had arrived, he served them as a libertine would serve his mistress when he was tired of her,

“ ——— whistled them off,

“ And let them down the wind to prey at fortune.”

He next argued upon the right of public men, when dismissed in particular circumstances, to call for an inquiry into their conduct. If a Noble Lord (Hood) who had lately been dismissed, he would say too ignominiously, from a great naval command, was to demand an inquiry into the cause of his dismissal, he would support it; that gallant officer, whose valour and good conduct were approved of by all, was above the shafts of all ministerial insinuation; but he thought his dismissal strange, and that it ought to be inquired into. A common centinel has a right to demand a court martial; why then may not a Viceroy who is dismissed, and his conduct by implication traduced, demand an inquiry to clear his fame? What danger or inconvenience could arise from it? none but to those who were conscious of guilt, and who therefore wished to hide their actions in the shade of night, but dare not exhibit them to the fair face of day. He concluded with declaring that, if the Catholic question has been made the colourable pretext of the removal of the Noble Earl, while the real object of the minister has been to degrade his character—if that Noble Person has been vilely calumniated with respect to his public conduct, and is now refused the inquiry necessary for his exculpation, there is no disgrace which present times or posterity ought not to heap upon the head of a minister, who, while

while he is base enough to inflict the deepest injury, has at the same time the insolence to reject every demand for that redress, due to the wounded feelings and insulted character of the Noble Lord.

Mr. Jekyll moved—

“That an humble Address be presented to his Majesty, that he will be graciously pleased to direct that there be laid before this House, such part of the correspondence between his Majesty’s ministers and Earl Fitzwilliam, late Lord Lieutenant of Ireland, as relates to the motives and grounds of his recal from the government of the said kingdom, during a session of Parliament, in which the two Houses of Parliament had voted their confidence in him, and their approbation of his conduct, and with a munificence unexampled, had granted supplies for the general exigencies of the state.”

Sir William Milner seconded the motion, and bore ample testimony to the honourable character of Earl Fitzwilliam. He thought an inquiry was highly necessary to satisfy the public mind upon this important subject, and from what the Chancellor of the Exchequer had said on a former evening, he supposed it would be allowed, at any rate he was persuaded, the Noble Earl’s character would stand unfulfilled, whether the inquiry were granted or refused.

The motion being read,

Mr. Powys said, he was particularly anxious to deliver his sentiments upon this subject before the speech of the Learned Gentleman who made this motion should make that impression which it was calculated to produce, and excite feelings which might perhaps prevent the House from going into a discussion of the kind with perfect fairness. He begged leave to put it to the House, whether it would become their wisdom to entertain a motion which must be admitted to be a vehicle of general invective against his Majesty’s present ministers? What advantage, he would ask, could be derived to the nation at large, or to the respectable individual more immediately concerned, from the inquiry now proposed? With regard to the Noble Earl who was thus concerned in this subject, he confessed he could not say he had lived in any habits of confidence or friendship with him, but he had known him long enough both in public and in private life to respect him highly. He knew the amiableness of his character as a private man. He knew the soundness of his principles sufficiently to esteem him. If he conceived this inquiry essential to the character of that Noble Earl, he should not be prevented from voting for it by any thing whatever, unless he had thought he had been com-

pelled to refuse it from a sense of his public duty. He objected to the inquiry, because granting it would imply there was criminality somewhere. Indeed the Learned Gentleman who made the motion stated in part of his speech, that criminality had been imputed by ministers to the Noble Earl, by the manner in which they had acted on the subject of his recal. It was because he did not believe this, that he objected to the motion. He knew that the Noble Earl was appointed to an high and important station under the Government of this country. That appointment met with the general approbation both of Ireland and of this country. He knew, and he felt that very shortly after this appointment, a fatal difference of opinion arose between his Majesty's ministers and the Noble Earl, which rendered it impossible for him to continue; consequently he was recalled. He was far from stating, that the loss of such a person, either to this country or to Ireland, was not a very serious thing; but he must be allowed to add, that there was no blame imputed or imputable to the Noble Earl. Where had he been blamed? In the newspapers? Was he the only person who had been treated with scurrility by them? Administration had had that honour as well as the Noble Earl, and this the Noble Earl had refused in a grave authentic publication under his own hand. The Noble Earl had in another place boldly stood forward, and called for accusation, if any there was against him. What was the answer? That there was no accusation whatever against him—and there the matter rested. A Noble Duke chose to stand forward in another place, and to call for an inquiry. What was the language held in answer to that application by his Majesty's ministers? Did they not in the most clear terms bear testimony to the character of the Noble Earl? What further could be required, for really the Noble Earl must under these circumstances consider himself to be justified. What sort of justification could he receive from a discussion in that House, with such materials as they should have before them? Supposing the inquiry to be gone into, he should wish to ask what was to be the result of it; were they to look to the reinstatement of the Noble Earl? That he would dare to say would not appear wise in the opinion of the Noble Earl or of the Public. Was it to remove his Majesty's present ministers, who had been the cause of his recal?—Admitting blame to be imputable somewhere, that blame could not be made the ground of his recal, nor should it be a ground, perhaps, of removing ministers. Another objection occurred to him; and he would state it thus:—Was it for that House to pass judgment on the proceedings of the sister kingdom? Was it a matter of sound policy for that House

to give an opinion on the Legislature of Ireland? The Learned Gentleman had stated a principle, which, if true, proved the constitution of this country to be very different from what he ever thought it.—He had stated, that every man who was removed from any office under Government was disgraced, if he had not an inquiry into his conduct. He begged leave to dissent from that principle. If every person thus dismissed was to be considered as stigmatized, there would be a wide field indeed laid open for the inquiry of that House. He could not help taking notice of the manner in which Gentlemen had been alluded to, who had lent their assistance in Parliament to Administration.—If they were to be stigmatized as deserters, he could not agree in the appellation. He thought that the event of their having so joined Administration, was the best part of our history. He thought that this motion was calculated to disunite friends, instead of being serviceable to the country; but he hoped the majority of the House would feel they were engaged in a different cause. They had a common cause to maintain, and that was of superior importance to this—superior even to the unity of the empire itself. In that cause he trusted he might look upon the Noble Earl as one of our distinguished leaders. He trusted the majority would join with him, in endeavouring to heal the wound, instead of increasing it. In this hope and expectation he had, without consultation with any one, formed a determination to take the best step which, in his opinion, could be taken, to pass by this discussion, and therefore he moved the Order of the Day.

The question for the Order of the Day being read from the chair,

Mr. Fox said, he certainly could not, like his Learned Friend who made this motion, allege that he had no particular intimacy or acquaintance with the Noble Earl; he could not possibly deny, that, through the whole of his political life, he had a strong friendship for the Noble Earl, a friendship and an intimacy in private, and, until lately, a close connexion in political affairs; a friendship that afforded him the sincerest pleasure, and highly gratified his pride, because formed on such a basis that no difference of opinion upon any subject could entirely do away. He thought he had a right to say, and he expected to be believed when he said, that, however great such friendship might be, it could not warp his political opinion, nor affect his political conduct: For however pleasing the preservation of that friendship and connexion might be, he had never so regarded either, as not to consider them inferior to the consideration of his public duty, against which

he never had, nor should place any thing in competition; therefore this good he hoped would happen to him, that as he had been so unfortunate as to differ from that Noble Earl upon political topics, the Public would have no doubt that he was actuated by pure principles in endeavouring to promote the inquiry that was proposed.

This inquiry was called for upon two grounds which were distinct from each other: First, with regard to Earl Fitzwilliam personally; secondly, with regard to the interest which the Public had in the inquiry. The first of these was certainly the least important; but even supposing that the first was the only ground, he was of opinion it would have been sufficient to call upon the justice of the House to accede to the present motion. He confessed he could not go the length of agreeing entirely with his Learned Friend, that a dismissal by Administration, of any individual, unless under circumstances of known imputed malversation, must be deemed a personal censure; but he agreed entirely that in this case an attempt had been made by his Majesty's ministers, to convey some censure on the character of the Noble Earl. He allowed that the prerogative of the Crown to dismiss its officers, was such as was not upon all occasions to be questioned, but when exercised in an extraordinary manner it became the duty of that House to inquire into the exercise of it; and although he did not allow that every dismissal conveyed a censure upon an individual dismissed, yet he could not go the length of saying, that no circumstance under which a person might be dismissed could convey a stigma. In this case, he believed, the common sense of mankind was, that ministers had, in the manner in which the Noble Earl had been recalled, attempted to cast a stigma upon his character. There must be one of two reasons for the dismissal of the Noble Earl; either that he exercised his power as Lord Lieutenant very improperly, or that he misunderstood his instructions. Some strong reason the Public must expect to have occasioned his recal, since it was a circumstance attended by great public inconvenience, great public risque, and many very powerful remonstrances. On both these grounds Lord Fitzwilliam told us that he was dismissed, not from misunderstanding his instructions, for making improper use of his power, but for acting, as he had been taught to think, in the manner which was the most agreeable to his employers. He told us that he had been dismissed for acting in direct conformity to the directions he received from the Cabinet of Great Britain. If, however, what had been declared in the Parliament of Ireland was true, that he acted with great imprudence and impropriety, he acted contrary to the intention of those

those who employed him. If this be true, he was guilty of a great crime, for imprudence in a character of such eminence was a great crime. Here, therefore, Earl Fitzwilliam and ministers were at issue. The parties differed upon the fact, and it was right for the Public to know the real truth between them. Earl Fitzwilliam understood his recal as a stigma on his character. It was true, that the act itself might or might not be a stigma, because that depended on the circumstances that created it. But surely, in the common sense of the thing, the recal must be deemed the censure of his Majesty's ministers upon the conduct of the Noble Earl, and that too of the most extraordinary kind. Mr. Fox proceeded to read some parts of the letters of the Noble Earl upon the subject, wherein he states the understanding between him and the Cabinet, upon the question of the emancipation of the Catholics; and wherein he justifies himself for the part he had taken upon that subject. Ministers alleged there was no such understanding between them. The question for the House to inquire into was this—Was the statement of Earl Fitzwilliam true or false? To ascertain this was the object of the present motion; and it was an important object. The character of the Noble Earl had been said to be unsullied; he hoped, he trusted, and he believed it was. But why was it so? It was from the impotence of his enemies; for if their conduct had been right, the character of the Noble Earl, instead of being unsullied, must have been highly criminal, as they had given to the Public more than insinuation upon that subject.—It had been alleged also, that this motion tended to excite animosities, particularly by the Hon. Gentleman who spoke last. He disclaimed all ideas of exciting animosity. Some of the parties in this dispute had been long friends, and while he was a friend of theirs, he saw them always as brothers. In their former friendship and connexion, he witnessed nothing but honour, confidence, friendship, and attachment. It was only after they had got into their new company, that they found discord, distrust, and animosity. Such was the fate of their new connexions. Had the Noble Earl continued united with his old friends, he would not have been brought into his present disagreeable situation. But when he formed his new connexions, he found he had got into a family compact, with the principles of which it was impossible for him to agree. The consequence was, the parties quarrelled, and bitterly accused each other. He remembered the time when it was fashionable to accuse certain Gentlemen of having formed a political connexion, which was supposed to be a species of aristocracy, hostile both to the prerogative of the Crown, and the

the interests of the People. He always thought that observation ridiculous; but if the Chancellor of the Exchequer had ever any real apprehensions of the danger of such a coalition, he had acted wisely in the last step he had taken upon that subject; for, by entering into a coalition himself with some branches of all parties, he had completely destroyed any danger from them all.

With respect to the other part of the subject, which he owned appeared to him to be the most important one, namely, the interest which the Public had in this inquiry, he must observe, in answer to the question, For what purpose was this subject to be discussed? that the Public had a right to complete information as to who the persons were whose conduct had created such public inconvenience. If mischief had been done, if danger had been occasioned, it was fitting the Public should know to whom it was owing; it must be owing to his Majesty's ministers or to the Noble Earl. Nothing could clear up that point but the inquiry proposed in the motion then before the House. Certain Gentlemen had come with a covering to the whole subject; they objected to this inquiry because they did not know that the result might not be that of removing his Majesty's ministers. Upon this he owned it did not appear to him that if ministers should, upon this inquiry, appear to deserve the censure of the House, they should therefore necessarily be removed. The Hon. Gentleman who spoke last had gone so far as to say, that even if it appeared to him ministers had misconducted themselves, he should not vote for this inquiry, for the cause in which they were engaged was more important than even the union of the empire. Mr. Fox said, he wished the House to mark the end of this, for under such a principle no inquiry could ever take place; the cause in which we were engaged, according to this doctrine, must supersede every other subject. Let the Public know that this was the sort of answer that was to be given to all questions, when the conduct of his Majesty's ministers was proposed to be discussed. If this was to be really the practice of that House, he thought it was but fair for the House at once to say so, instead of betraying their constituents, by pretending to hold a power of inquiring into any circumstances that related to the conduct of the servants of the Crown. It would be better and more honest, at once to say, that the functions of Parliament should be suspended until the end of the war, than to sit there day after day, to act mockery after mockery, and to pretend to have an idea of inquiring into any thing, the possible result of which might be the removal of the King's ministers.

Much

Much had been said of the dangers of such inquiries as these. He was of opinion that the greatest of all dangers that could possibly threaten a free state, was that of ministers being enabled to go on without censure with any plan which their ambition, folly, or madness might suggest; this was the danger which threatened the country; it was from this we suffered, were now suffering, and he feared were doomed to suffer so much calamity. He would say, that the imagination of man could not conceive any thing more injurious to the true interests of this country, than that of refusing an inquiry into the conduct of the ministers of the Crown, merely because such inquiry might lead to their removal. It was this, as he had before stated, had brought on us all our disasters. He would ask the House to look at the situation of this country in the year 1792, and to compare it with their situation at present, and then to tell him whether they thought it possible for distress to have been more dreadfully accumulated upon them by any combination of misfortunes. Let them, therefore, reflect upon their present situation, and let that House adopt the old practice of a good House of Commons, entertain its constitutional jealousy, and institute inquiries independent of all considerations as to the result leading to a removal of any Administration. Mr. Fox compared the dismissal of Earl Fitzwilliam with the resignation and dismissal of Lord Carlisle, Lord Temple, Lord Northington, and others, and pointed out the difference between this and all of them. In the cases of all those noble persons, the dismissals and resignations arose in consequence of the change of Administration, and therefore they differed entirely from the present case. Some persons might perhaps object to this motion, as the very words of it conveyed an idea, that it was dangerous to suffer any inquiry whatever to take place, because it stated circumstances, from which it might be inferred that Ireland was in danger. The conduct of Earl Fitzwilliam was certainly very dangerous. But to whom was it dangerous? To the people of Ireland? By no means. It was dangerous only to the few individuals whose plan it was to govern Ireland by corruption: It was dangerous to those who held the interest and the sentiments of the people of that country in contempt; and therefore the cause of the removal of the Noble Earl upon that principle was easily perceived. The Noble Earl was, he believed, the only person who had the good fortune to obtain the applauses of all the Catholics and Dissenters of Ireland; the only person who, since the accession of the House of Brunswick, had been able to unite all parties in that kingdom; and that, perhaps, to his Majesty's
present

present advisers, was a sufficient reason for his recal. Mr. Fox entered into a short history of facts with regard to the Administration of Earl Fitzwilliam in Ireland; and of certain applications which had been made to the Throne by delegates from that country on behalf of the Catholics, and maintained the right which the House of Commons of Great Britain had to institute inquiries into public matters which related to the interests of both. He was of opinion, that what had been allowed to the Catholics in that country and in this, was right as far as it went; but that while there was any distinction made between them and the Protestants, with regard to political rights, they would continue to have claims upon the justice of the Legislature. His opinion, indeed, was well known to those who had done him the honour to attend to him: It was, that at all times, in all countries, and upon all occasions, there should be no distinctions in political rights, on account of religious opinions. He thought that the prejudices of the people were, generally speaking, worthy of attention. But when prejudices bent against the general principles of toleration, he did not think them entitled to much respect. What was the case in Ireland when Lord Fitzwilliam became Lord Lieutenant? When he arrived in Ireland, he found the Protestants so far from entertaining any alarm at the idea of the emancipation of the Catholics, that they all wished for it; even when his recal was known to be about to take place, there was only one place in the whole kingdom where alarm was affected to be felt, in consequence of the plan proposed in favour of the Catholics; and even there the vote upon that occasion was carried by a small majority; and therefore it was demonstrable, that the almost unanimous wish of the people of Ireland was for the entire emancipation of the Catholics. Nor was this wonderful; for the people of Ireland had sense enough to distinguish between the effect of living amongst freemen, and that of living amongst slaves.

It was said that under the present circumstances no man could wish to see Lord Fitzwilliam restored to the government of Ireland. That the Noble Earl, considering his recent experience, would be very willing again to hazard his comfort, his character, his reputation, under the controul of those who had already betrayed him, was extremely doubtful; but he confessed, from what he knew of the disposition of that Nobleman, he would be as ready to sacrifice every thing that related to his own ease for the public good, as any man in the kingdom; he nevertheless thought, that after what had already happened, he must hesitate a good deal before he would say,

say, "I am ready to go to Ireland during the continuance of the present Administration." Such an event would certainly be desirable, for the Noble Earl was popular throughout the whole kingdom, which was evident from the addresses of all considerable towns, from Belfast to Cork, and also in the city of Dublin. To please every man was impossible; but Lord Fitzwilliam had pleased the House of Lords of Ireland, and the House of Commons, who had granted, during his administration, supplies that were unparalleled in extent. He had pleased the Catholics of Ireland and the Protestants of Ireland. He had appointed a learned, reverend, and pious Prelate (to whose character Mr. Fox bore testimony of esteem in the most handsome terms) Lord Primate, in the most disinterested manner. In the same way also he named a Gentleman, Provost of Trinity College, Dublin, of eminent abilities and high character, but from whom he could not expect any political services. The Noble Earl, in short, had pleased the mass of the people in Ireland, but he had displeased a few individuals, Mr. Beresford, and two or three others. Thus, when the people of Ireland were put into one end of the scale, and Mr. Beresford and a few individuals into the other, the scale lost its balance—the people, with all their weight, flew up, and the interest of Mr. Beresford preponderated.

When this subject had been mentioned by him on a former occasion, and when he had given it as his opinion that an inquiry should be instituted, the Chancellor of the Exchequer asserted that his Majesty's ministers had done nothing in the affairs of Ireland, for which blame was imputable to them, and that it would so appear when an inquiry should take place. This, Mr. Fox said, convinced him the moment he heard it uttered, that no inquiry would ever be consented to on the part of his Majesty's ministers, for it was their constant practice when charged boldly, to assert they were not guilty, that they were ready to prove it whenever an inquiry should take place, and when that inquiry was proposed, to refuse to grant it. Of this they gave a specimen, when the Secretary to the Treasury had been called upon to account for his conduct, in a case which had been investigated in a court of justice. He would continue to say, that if this inquiry be entered into, to use a phrase which had been applied by a Right Hon. Gentleman opposite to him (Mr. Windham) upon another occasion, the minister and his troops would be found to be covered with filthy dowls. He owned it appeared to him impossible upon any principle of integrity to refuse entering into this inquiry. Facts were alleged on one side, and, if not contradicted, were certainly not admitted on the

other; and therefore, as the subject was important, that was ground for an inquiry. Lord Fitzwilliam alleged, that Administration had deceived him; he said so in plain words: There might be some passion mixed with his narrative—how could it be otherwise? Where was the man, who, under such circumstances, would be totally free from passion? But, after making all allowances upon that head, it must be admitted, that the facts alleged by the Noble Earl, not admitted by his opponents, were of such a nature as to demand inquiry in that House. The Noble Earl alleged, it was not in reality his dismissal of Mr. Beresford that was the cause of his disagreement with his Majesty's ministers. "This," says the Noble Earl, "was no other than a direct intention in ministers to degrade him in the eyes of the Public, and of those with whom he had formerly acted, and left for the purpose of coalescing with the present Administration."

Mr. Fox said, he did not pretend to pronounce what were the motives of the minister which led to the conduct he observed upon that occasion. He should not enter into a minute detail of the facts, but it was essential that the Public should know the whole truth upon that subject. He had heard, as had been alleged that night by his Learned Friend who made the motion, that, in another place, there had been a very fair and frank declaration, that upon application being made to the Chancellor of the Exchequer, to know his sentiments on the conduct of Earl Fitzwilliam, he explicitly disavowed the whole of it. Earl Fitzwilliam on the contrary insisted, that with that very minister he had conversed upon that subject, that he had communicated his sentiments to that minister, had stated his intentions to him, all of which he expressly approved. Upon such a difference of assertion, he would ask that House, was it or was it not fitting that they should inquire, and be satisfied how the facts really stood? He might think that the removal of Mr. Beresford was not an event in itself of great importance; but when such a man as Mr. Beresford was put in competition with the united wishes and the common interest of the whole people of Ireland, Mr. Beresford rose into great and striking importance, and with that view the circumstances became worthy of the inquiry of that House.

Mr. Fox took notice of some disputes which commenced in October last, between the two parties of Administration; he spoke, he said, from public rumour only, having no specific knowledge on the fact. From that rumour he understood a plan was in agitation to sever the whole of the new Administration from the old, and he did not think there were any persons

persons qualified to form an opinion upon the subject, who doubted the truth of that rumour. Common report also said, that in October last a material change was to take place in the Administration of Ireland. A Noble Lord who fills the first legal office in that kingdom, it was notorious, was to go out. Many other changes must of consequence follow: Mr. Ponsonby could not be in with Mr. Wolfe and Mr. Toler. These removals, not the alarm of Protestant ascendancy, which long since died away, were the cause of the recal. Look at the situation of the Noble Earl at the time he left, with others, his old friends, in order to act with those who had since deserted and betrayed him. It was evident he had not agreed to accept the high station he was appointed to, but from a thorough conviction in his own mind, that he was to have an efficient Administration of his own choice and appointment; and when he had mentioned the removal of Mr. Wolfe from the office of Attorney General, the only objection which was made, and that only by one of his Majesty's ministers (Mr. Pitt), was the very delicate one of Mr. Ponsonby never having been Attorney General before, and that it would be more decorous and proper that before so young a man was advanced so high, he should first pass through the intermediate office of Solicitor General.

Mr. Ponsonby was a gentleman who ranked deservedly high in the estimation of his countrymen, not only as a man of learning, but of the most shining and splendid talents in his profession of a lawyer. He was, he believed, about the same age with this minister, and called to the bar about the same time that he was called to his Majesty's councils; yet this modest objection to his youth, and never having filled the office of Solicitor General, was the only one which was urged by this single minister against his appointment to be Attorney General of Ireland. Certainly the Noble Earl would never have accepted the appointment he did, on any other terms than those of appointing his own Administration in that country, with a very few exceptions. He believed some conversation had once taken place between ministers and the Noble Earl respecting the removal of a certain Law Lord, high in office; but that removal had afterwards been agreed to be given up. He certainly lamented that any of his old friends had joined the present Administration, or had formed any connexion with them; but he was ready still to regard their characters with tenderness, and therefore he wished to support every inquiry, that was necessary to vindicate their honour. That Lord Fitzwilliam should have pursued the measures he did in Ireland, was perfectly natural. Long

before that Nobleman became the Lord Lieutenant of that country, he had ceased to converse with him upon political subjects, because he knew they differed, but yet he was perfectly satisfied of the course which the Noble Earl would take during his administration in Ireland. It was as natural to expect that he should have pursued the plan he did, as that, if he were to be minister to-morrow, it would be natural to expect he would make some attempt to negotiate with France. It was said when Earl Fitzwilliam was appointed Lord Lieutenant of Ireland, there would be an end of the old system of government, of the influence of the Beresfords, and there would of course be a complete emancipation of the Catholics. Therefore, it was extraordinary to affect surprise at the part which Lord Fitzwilliam took upon that occasion. There was something extremely singular in the manner in which some Gentlemen affected to say that the recal of Earl Fitzwilliam from the office of Lord Lieutenant of Ireland was no insinuation by ministers against his character; and yet that these Gentlemen should insist upon it that the dismissal of Mr. Beresford by the Noble Earl, was a direct attack upon his character. He wished to know which of the two events was the more important? Had Mr. Beresford been dismissed for ever, did the House believe that there would have been an address and remonstrance from the Catholics in consequence of that event? The truth was, that facts spoke for themselves too plainly in this case. Lord Fitzwilliam was popular in Ireland; but popularity with the people was one thing, popularity in the King's Cabinet another.

After having exhausted all their shifts upon this subject, the King's ministers found out by accident, that to give complete emancipation to the Catholics, was a thing dangerous in some degree to the King's coronation oath. This was a sort of objection which it was very difficult to state gravely; and when he saw men of sense attempting to make use of it as an argument, he was led to reflect that there was some reason besides, which it was their disposition to conceal; for surely when men capable of forming a just opinion upon things, assigned a reason which could not be stated to children without exciting their ridicule, the real reason must be such as did not suit their characters to disclose. The reverend, the learned, and the pious Prelate, to whom he had already alluded, and whose province it was to guard against any dangerous innovation in religion, had seen none of this alarming hostility to the King's coronation oath, which the lay-adviser of the Crown in Great Britain apprehended, nor had any of the people of Ireland or of England. But the Chancellor of the Exche-

Exchequer, and the Secretary of State, in their piety and due observance of religious rites and ceremonies, forsooth, had lately made this discovery.

The next point to be considered, was the opinion which the mass of the people of a country entertained of the government under which they lived. He knew there were some who affected to despise that idea; but they were weak, shallow, miserable politicians. He knew that Ireland was, in that respect, in a dangerous condition. It had been said, that Ireland was not in a state of rebellion or insurrection. He hoped it never would; but certainly all accounts from that country concurred in this, that the people were in a state of the greatest discontent and dissatisfaction; nor was this to be wondered at: Indeed the reason was obvious. It was essential to the welfare of a country, that the common people of it should have a veneration for its laws. This was by no means the case in Ireland; and why? Because the law was there regarded as an instrument of oppression, and as having been made upon a principle of pitiful monopoly; and not for the general protection, welfare, and happiness of the mass of the people. It was too common for the lower class of the people in Ireland to resist the execution of the laws. Theft itself was not regarded by them with the same abhorrence as with us. Indeed, if we would have the mass of mankind regard our laws with veneration, we must make them feel the benefits of them; shew them that they are equal, and alike to all without distinction. It was this principle which made the laws of England so much the object of our admiration; it was this which made the people parties, as it were, in the execution of the laws; for when any one infringed them, a prosecution against him was generally a popular measure. What he said with regard to laws, was applicable also to religion. He would have religious toleration as equal as the laws of England; and that all men should be tried in society by their morals, and not by the mode of religious worship. To root out prejudices altogether, was not a thing to be accomplished at once; but it was a thing to be attempted; and every step towards it would be an advantage to the country. Such was the plan of Earl Fitzwilliam, which, instead of aiding, ministers thwarted by their measures. They had renewed the old plan of corruption, which had made the government of that country odious; this was too well authenticated to be doubted; It had been stated publicly in the House of Commons there, by a Gentleman whose talents were highly eminent, and for whom, notwithstanding some little differences upon political subjects, he had a high esteem (Mr. Grattan);

Grattan); that Gentleman had stated that peerages in Ireland, instead of being a matter of honour, were an article of sale; that they were purchased from the corruption of seats in the House of Commons. This Gentleman, by whose noble exertions Ireland gained a free trade and more equal representation, never was in the confidence or on the side of any Viceroy, bating the Noble Earl in question and Lord Northington. Yet it was stated in the debate in the Lords by a Noble Lord (Westmorland), who left Ireland to make room for Earl Fitzwilliam, that all the changes were made to excite commotion and sedition and faction. He had heard much of the influence of the Crown in this country; and Mr. Fox said, he believed it to be as great as it was ever stated to be. But in Ireland corruption had been publicly avowed and acted upon. Such a government must certainly be in a very decrepid state; and, therefore, any plan for the relief of the people was highly necessary. What then were we to think of ministers who held out an encouragement at one time for such a plan, and afterwards recalled a Lord Lieutenant for attempting to carry it into execution?

The question therefore rested upon the cause and the manner of the recal of Earl Fitzwilliam; and upon that subject it was impossible fairly to pass by the conduct of his Majesty's ministers, without inquiry. He had heard much said of the danger of investigating this business; danger he admitted there was, not from an inquiry, but from abstaining from investigation. He had heard also a good deal said about the honour of his Majesty's ministers. Upon that he was not concerned; they would defend their own honour, and deal with it as they might think best. Lord Fitzwilliam desired only an investigation of facts; in which, he said, his honour was concerned, and also the interest of the nation: And therefore he thought it imported the House to institute the inquiry. He knew indeed, that, if Earl Fitzwilliam had adopted the plan which others had set for him, he might long since have been extremely easy; he might have had an opportunity of accepting a good place; ministers would have said—"It is true you have uttered some hard sentences against us, but, now we are good friends, every thing is understood between us." The truth was, Lord Fitzwilliam did not enter into what is called the spirit of the present Administration; that is to say, he did not sacrifice his character for the purpose of putting himself upon an equality with them. He had, thank God, not entered into that spirit: He said thank God, for no political differences of opinion ever had, or should, Mr. Fox declared, destroy his friendship. Lord Fitzwilliam had acted
honour-

honourably : He called for inquiry ; he stated his claim to it ; he had a right to demand it of the justice of that House ; his honour was in their hands, and therefore they ought to grant him an inquiry. Should the House refuse it, Mr. Fox declared, he knew not, among the various names that have been given to various Parliaments, what name to give to the present Parliament : It certainly was not an Inquisitive Parliament. They had seen large subsidies granted, and they had not inquired into the services performed ; they had known alliances entered into, and our allies desert us, and they had not inquired for what reason ; they had seen our armies defeated, and they had not inquired into the plan of our military operations ; they had seen failures on our part, in almost every corner of the world, and they had not inquired into the causes of such failures ; they had seen this empire very nearly ruined by the conduct of the King's ministers, and they had continued their confidence in such ministers. It was for want of inquiry we had been brought into our present calamitous situation. Knowing this, he must on the present occasion leave it to the wisdom of the House, to reflect on the consequences of continuing to refuse inquiries into subjects in which the prosperity and happiness of this and the sister kingdom were so deeply involved.

The Chancellor of the Exchequer said, that whatever effect might be produced in the minds of some, by the efforts of the Hon. Gentleman who made the motion, and those of the Right Hon. Gentleman who followed him, to persuade the House and the Public that his Majesty's ministers wished to avoid the proposed inquiry, from a consciousness of misconduct ; he was almost confident that he should have the sense of the majority of the House with him in the part he proposed to take. Feeling, as he must feel, what the strict line of his duty was as a Member of the British Parliament, and still more particularly as a Member of the Executive Government ; he was convinced that he should betray that Government, if he were induced to give a verbal explanation of the subject in hand, when it could only, from its nature, be effectually known by a thorough investigation of the whole of the correspondence which took place during the time of Lord Fitzwilliam's residence in Ireland ; a proposal to do which, he averred, could not come from substantial purposes of sound policy, or from any well-grounded sense of public expediency or private justice.

Whatever the view of the motion might be—whether it was justice to Lord Fitzwilliam, or injustice to those who composed the Executive Government—whether it was the welfare

welfare of the British empire at large, or the benefit of the Irish nation—or to discuss and take the opinion of the House on topics depending before the independent Legislature of Ireland; it was impossible to enter upon it at all to any effect, without going at large into a complete investigation of the whole, without suffering themselves to be led away by artful representations, founded on garbled extracts and vague rumours, which, however industriously circulated, certainly were not sufficient grounds for that House to form a decision upon. And whether the House would agree to take a step at once so indelicate and dangerous, as to open the secret transactions of Government, and touch the vital parts of the British empire, by probing every little unimportant wound to its utmost extent, or not, was a question that he would not insult their patriotism or their wisdom by doubting.

If an inquiry, however, was to take place, it could be properly done only by application to the Throne, and not by inquisition of the confidential servants of his Majesty, who were withheld, by the very essence and nature of their office, from the promulgation of the secrets of the Cabinet. He assured the House, that whatever advantage might be made of his silence, or however the ingenuity of Gentlemen might turn it to the purposes of bold presumption and coarse invective, he was too much accustomed to such treatment, not to sacrifice the first feelings of his temper to the deliberate sense of his duty. He could well bear the uncouth ebullitions of intemperance and acrimony, and condemn the gross misrepresentations of his conduct, which he was so much in the habit of hearing from the other side of the House, because he entertained a well-founded hope of receiving a fair and candid judgment from the Public, and had, at all events, an ample resource for tranquillity in the conscious integrity of his own mind.

He did not, he said, want the candid and salutary advice given him by an Hon. Gentleman (Mr. Powys), not to be betrayed into warmth by the very provoking and unmerited expressions which fell from the other side; for he had been, antecedent to that advice, determined not to enter into any particular verbal explanation—and in the spirit of that determination he would neither admit nor deny the facts or inferences so loosely charged, but state to the House what he conceived to be the general principle which governed the case, and which he was convinced would lead to the conclusion of rejecting the motion on the grounds of sound policy and public safety.

Having said so much, he would take up no more of the time of the House with preliminary matter, but proceed to the

the points of the question, as they arose from the statements on the other side—and as to the assertion that no prerogative could bar the inquisitorial functions of that House, he would admit it under some qualifications. No part of the King's prerogative was more peculiarly necessary to the existence of Government, the facility of its operation, and the security of that country for which such government is formed, than the power of nominating and dismissing his Majesty's servants, without assigning any cause: Yet he would not say, that even this, in a special case, *properly made out*, might not be properly brought before the House, and insisted on with reason as a fit matter of inquiry.

That this power of selection or rejection, without assigning cause, vested in the Crown, and was an indisputable part of the constitution, was *prima facie* evident, he would not, therefore, weary the House by demonstrating it; and that the most perfect confidence in each other (not confidence of moral opinion, but confidence of having the same views, and a concurrence of opinion on the political measures to be pursued by all) should subsist between the various Members of the Executive Government, as the means which could alone enable them to conduct to advantage the public concerns, was equally obvious.

If then motions of this kind were to be granted, and inquiries of the nature it sought were set on foot, this great and salutary provision of the constitution was ended at once. Before an experiment so hazardous could be attempted, a special case should be made out, of positive inconvenience, or public misconduct or delinquency, to ground it. If such a special case did exist as to establish that necessity, he granted it would be wrong to resist inquiry; but he contended at the same time, that it was much more dangerous to admit of inquiries, when no grounds whatever could be stated for going into them, and when the subjects with which they were collaterally connected, involved matters of such importance, that any disclosure in detail of the causes for appointments or removals, might be productive of the very worst consequences. What were the only positive grounds upon which the present inquiry was founded? Simply these two facts: First, it was said to be necessary for the justification of Earl Fitzwilliam: Secondly, as things now stand, it is necessary for the public interest of both kingdoms that an inquiry should take place.

As to the first, the whole of it, he said, moved on a mere groundless assumption, that the recal of Earl Fitzwilliam from the government of Ireland, implied a charge against him. But though the Hon. Gentleman who made the motion, insisted that the removal of the servants of the Crown from

their places implied a charge; the Right Hon. Gentleman who followed him, did not contend for the principle to that extent; and indeed if that were so, there was an end to the position already laid down, That the safety of the realm depended on the constitutional right of the Crown to nominate and dismiss its servants at pleasure—and there would be a necessity to inquire into the cause of every dismissal. The Right Hon. Gentleman could not but see how very prolific a field for inquiry would be opened. The Learned Gentleman who moved the question, had stated the case of a Noble Admiral (Lord Hood); the Learned Gentleman would be able to form a judgment of the expediency of such inquiries, and decide more justly upon that right, when he recollected that the gallant Lord Rodney, in the most interesting and critical period of a very ruinous and exhausting war, and in the very moment of victory, was recalled by the minister of that day*, without any cause assigned, and no such inquiry was called for or thought to be necessary. [*Here, on the suggestion of the Members behind him, Mr. Pitt corrected himself, and said*] Yes, an inquiry was called for, and the Right Hon. Gentleman himself resisted it; and, what was more, while he professed that he had himself advised the change, moved for the thanks of the House to be given to the Noble Admiral! If then, in such very extraordinary circumstances, an Admiral, who was a solitary instance of successful valour, in a most calamitous war, was recalled by the very minister who moved the thanks of the House to him, was it possible to say that any stigma could attach to dismissal without inquiry? And with the utmost respect for Lord Fitzwilliam, he conceived that there was nothing in the case of a Lord Lieutenant being dismissed, more than that of the dismissal of a military officer, or any other servant of the Crown. Besides, he put it to the reflection of the House to determine whether there might not be a cause for removal without a crime. Could it not happen that there might exist a difference of opinion on some case of transcendent importance, though the parties differing retained the most cordial affection for, and good opinion of each other?

Would the House, he demanded, suppose any thing more in recalling a Lord Lieutenant, during a session of Parliament, than in withdrawing a Secretary of State pending a negotiation for peace? Certainly not—Yet did the House forget that the Right Hon. Gentleman resigned his office, on a mere matter of difference of opinion, just at the end of the war, in a most important moment of negotiation—on a difference in

* Mr. Fox himself.

opinion with one Member of Administration respecting the independence of America? A minister (Mr. Fox), whose talents and political character made his assistance in the highest degree important, abandoned his office in the most difficult crisis, though he was conscious that his doing so would lead to the dissolution of an union formed on grounds of public necessity—yet there was no inquiry into that: And when a Noble Duke (the Duke of Leeds), in the midst of a preparation for a war with Russia, resigned the situation he held, he did not feel himself bound to ask an inquiry—nor did other Gentlemen, though extremely hostile to the war with Russia, make it the foundation of inquiry. Taking these facts as they were, he applied them to the case before the House, and said, that there was not that difference between the cases of Lord Fitzwilliam and the Noble Duke, or that of the Right Hon. Gentleman, that could make him more an object of inquiry; nor was it any disparagement to apply the same principles to him that applied to them. But it was stated, for the purpose of shewing that his Lordship's case was out of the ordinary course, that he had been encouraged by his Majesty's ministers on this side of the water, to hold out to the Catholics of Ireland the expectation of emancipation, which was afterwards opposed by them. Taking it for argument sake to be true, it might arise from a difference of opinion, which did not necessarily imply a crime on either side; and if that difference did exist between them, how could they act in concert for the service of the British empire?

A construction had been put on some words which had fallen from him on a former night, utterly different from what he could have imagined or then said.—On occasion of a motion for an inquiry into the state of the nation, the state of Ireland had been introduced into discussion, and he, in answer, stated as his opinion, that the agitation of that subject, in a British House of Parliament, was hurtful on the very same grounds as he should then contend, namely, that it was injudicious, if not highly improper, to anticipate the business of the Irish Parliament on the one hand, or to assume the right of canvassing their determinations on the other—he that night stated the ills that would probably arise from inquiry, and said, that if any mischief happened in Ireland, no part of it could be attributed to his Majesty's ministers on this side of the water. The House would judge whether Gentlemen in this case had given his words fairly and candidly; but if they determined, with the Hon. Gentleman who made the motion, that there must be guilt, because there was a dismissal, they must go farther, and say with him, that there was no just reason against

inquiry in any case—that there was no case in which the public disclosure of the councils of Government could be dangerous, or else that it was right to sacrifice public duty to the delicacy of private reputation—more than this he would not say.

As to the point of justice to Lord Fitzwilliam, why did the Hon. Gentleman confine it to him? Why, in the matter of justice, did he separate his Lordship from the rest of his Majesty's ministers? The plea of justice applied to them as well as him. If his Lordship had stated to the Public all that he had to say for himself, and they had any thing more favourable to say of themselves, it was not his Lordship, but they, that suffered, if they suppressed it: But however aggrieved, his Lordship as well as they should submit to the lot of public men, and sacrifice private to public interest.

On the grounds of public policy, the Chancellor of the Exchequer deprecated the introduction in that House, of the points on which the motion of the night was grounded: They were points on which there was a vast difference of opinion in the country to which they belonged, and where they arose. As to the Catholics in question, he would not state all the delicate political points on the great frame of the civil and ecclesiastical constitutions of Ireland, involved in it; but would suppose any one of them, and put to the consideration of the House the propriety of the discussion of it. To make the inquiry answer any purpose, they must enter into and examine all the opinions on those points. He would suppose that examination to come on while the same question was pending in the Parliament of Ireland, would it be right to treat that independent Parliament in that manner? to select the very moment of their deliberation to tread over the same grounds, and examine the same question?

If the question was the same, it was a wound to their independence; and if the inquiry only led to the same result, there was nothing gained to the Public: But if, on the contrary, the House was to decide differently, the discussion and decision would be an impeachment of the independence of the Parliament of Ireland, and encourage discontent in that country.

Fortunately, however, no such risk could be run; no such discussion could take place here, for that great and delicate question had already been decided by the Irish Parliament. Thus, what good could the agitation of the question do? He would suppose for argument sake, that the British Parliament decided in opposition to the Irish Parliament. What would be the situation of his Majesty's ministers, if on every question depending in Ireland, the Parliament of Great Britain pronounced judgment, and in any of them, a contrary judgment,
what

what would be their state to advise his Majesty to reject as King of England that which as King of Ireland he might feel himself engaged to give his assent to? Did those who wish the House to adopt this mode, think to promote the harmony and cement the connexion between that country and this, by introducing measures so pregnant with confusion and discord?

With regard to the arrangements of office in Ireland, how were they to be examined here? The Gentlemen there might be represented on one hand as quarrelling for power, avarice, or ambition, and on the other, as most likely to conciliate and preserve amity between the two nations; but who were to be the judges of so very important a question? Not the Parliament of England; certainly not; but that of Ireland, who were familiar with them, who had the means of examining, and the right to decide; who were judges in point of power, and witnesses in point of fact: Whereas here we had neither power to make a decision effectual, nor means to make an inquiry complete.

Some names had been mentioned (those in particular of Lord Fitzgibbon, Mr. Beresford, Mr. Wolfe, Mr. Toler, and Mr. Cooke), all of whom carried with them the testimony of successive Governments for talents, integrity, and fidelity. That however was not a subject, to the examination of which, a British House of Parliament was competent.

The Chancellor of the Exchequer concluded with declaring, that as he thought the House should not entertain the motion at all, he should vote for the Order of the Day.

Mr. M. Robinson spoke for the original motion.

Lord Milton (late Secretary to Earl Fitzwilliam, when Lord Lieutenant of Ireland) said, the cause of the recal of Earl Fitzwilliam was a dereliction by ministers here of all that had been agreed upon before he set out for Ireland. It was perfectly understood, that every thing expected by the Roman Catholics was to be granted at such time as might appear most conducive to the general tranquillity and harmony of the two countries, of which the Earl was to be the judge. With the complete persuasion that this was so understood, the Earl entered upon the Government of Ireland; and whether the difference that soon after appeared arose from his mistake, or from their change of opinion, ministers never sent him the least intimation of either, although they had full time to do so, till the application of the Catholics had received such countenance as could not be retracted with honour. The eternal blame of this business must attach to ministers, as the Lord Lieutenant had written to his Majesty's ministers on the 27th of January, and did not receive an answer until the 14th of February fol-

following, during which time he was never once undeceived. That Earl Fitzwilliam was highly popular in Ireland, he should be wanting in proper feeling not to declare; but he was bound also to declare that his popularity was not so much owing to the opinion entertained of his personal character, greatly as that was respected, as to the hopes conceived by the people of Ireland, from the appointment of the Duke of Portland to the high station he now filled in his Majesty's service, and the sending for Mr. Ponsonby and Mr. Grattan soon after to this country. The Irish nation complained of being deceived, of being treated with duplicity. On the part of Earl Fitzwilliam, he claimed an inquiry, that he might either be exempted from suspicion, or censured if blameable; for even mistake in affairs of such importance would be blameable. He would affirm, however, that Earl Fitzwilliam was not to blame, but that ministers here were culpable as far as respected the difference upon measures. With respect to the removal of Mr. Beresford, Mr. Wolfe, and Mr. Toler from office in Ireland, either effected or intended, it was a change wished for by the people of Ireland, and must have been expected by ministers here. They perfectly well knew of Earl Fitzwilliam's intention, and ought to have stated their objections before he went over, which they never did. The removals in his own (the Secretary's) office he judged necessary for the public service. Mr. Hamilton was satisfied, Mr. Cooke was not. The persons appointed to succeed them had done their duty with diligence and ability; and one of them had been continued in office. Earl Fitzwilliam had no objection to carrying the motion to any extent ministers might wish; they themselves were the judges of state secrecy, and of how far it would be fit to carry it. The dismissal of former Lord Lieutenants had been referred to as parallel cases. They had been dismissed by new ministers with whom they had no political connexion; Earl Fitzwilliam had been dismissed by his colleagues—that wounded to the quick. He would not say who were those colleagues—He would not trust himself upon that subject.

Mr. (Orde) Pawlet contended, that the insinuations which had been thrown out in the course of the debate respecting the supposed corruption which prevailed in the Government of Ireland, were without foundation; from the situation which he had the honour of filling in that country, he was enabled, with a considerable degree of accuracy, to decide upon this point, and he affirmed, the reverse of that assertion would upon an inquiry be found to be the case. He alluded to Mr. Beresford and the several other Gentlemen who had been mentioned,

as having been displaced from situations of high responsibility in Ireland, and spoke in the highest terms of their respective abilities and attention as public characters, and of their honour as private Gentlemen.—He concluded with giving his decided vote against the motion.

Mr. Douglas said, he felt himself called upon by the turn which the debate had taken, to intrude upon the attention of the House for a few minutes. It was a duty which he owed to persons with whom he had been connected, and which his own feelings called upon him to perform.

It was his intention to state in as few words as he could, consistently with the magnitude of the subject, his reason for giving his vote against the motion of the Hon. Gentleman. He was ready, in the most unequivocal manner, to give his assent to the position advanced on the other side of the House, *viz.* That it was the duty of Parliament to watch over the conduct of the Executive Government, and to institute inquiries when they thought it necessary.—But there was another position, equally conformable to the theory of the constitution, and more reconcileable to its practice, which he should insist upon, *viz.* that his Majesty had the undoubted prerogative of dismissing and of appointing his own ministers, according to his pleasure. He did not mean to contend that no possible case might arise, in which it might not be proper for Parliament to interfere upon the dismissal of a minister; but in such a case there ought to be the strongest grounds stated to shew the necessity of such an interference. The question, and the only one which called for consideration, was, whether there were sufficient grounds laid before the House to induce them to go into this inquiry, or, in other words, to address his Majesty for the production of the papers moved for.

In order to form a correct judgment upon this part of the subject, it would be necessary that the House should not be led away by the general observations which had been thrown out against the Government of Ireland. He had experienced an opportunity of forming a judgment upon that subject, and hoped he should be able to convince the House, not by declamation or assertion, but by positive proof. If there did exist that degree of corrupt influence in Ireland which had been represented, it must have been known to the Parliament of that country, and yet when a motion was brought forward upon that ground, in the Irish House, by a Gentleman of the first abilities and eloquence, the motion for the inquiry was negatived, he believed without a division, but at all events with a large majority. This was a strong proof what were the opi-

opinions of persons residing upon the spot, and the most likely to know of that corruption, if it really existed.

It was not upon negative facts however that he meant to defend the Government of Ireland, particularly under Lord Westmorland; a variety of measures were adopted under the administration of that Noble Lord, which were calculated to gratify the feelings, and at the same time to support the interests of the people of Ireland. He would state to the House in as brief a manner as he possibly could, the different measures to which he alluded.

He did not believe his assertion would be controverted when he said, that the happiness of a people depended as much upon the mode of administering justice, as upon the laws under which they lived—He was sorry to say that that consideration had not always prevailed in Ireland; too much regard had been paid to Parliamentary interests in the distribution of legal situations. But during the administration of Lord Westmorland an opposite system had been adopted, and every effort made to procure the due and impartial administration of justice.

The next grand point in a Government constituted like that of Great Britain and Ireland was, to preserve the independence of the legislative body. This essential point was secured, under the administration of Lord Westmorland, by the introduction of a place-bill, which disqualified persons holding various offices from a seat in Parliament; and even in cases in which it did not disqualify, the acceptance of a place vacated the seat, and the Member was again sent back to his constituents to receive their judgment upon his conduct. Thus in that essential particular, the laws of the two countries were put upon nearly a similar footing. The next grand object attained in the period during which Lord Westmorland was Viceroy of Ireland, was the establishment of a responsible Treasury Board. Formerly there used to be a Lord High Treasurer and a Vice Treasurer, both of whom had sinecure places; but they were now replaced by an effectual and responsible Treasury Board.—The last point which he should allude to was, the establishment of the militia, which had been effected with a degree of success, that exceeded the most sanguine expectation; and, notwithstanding very great obstacles, had produced in one year a body of twelve thousand men. All these very important regulations which took place in the time of Lord Westmorland, he hoped would convince the House that it was the object of that Administration to reform abuses, and not to continue error.

Having

Having discussed these points, Mr. Douglas requested leave to join his sincere testimony to that of others in favour of those Gentlemen under Government in Ireland who had been dismissed—Having passed the highest praises upon their conduct, he concluded with giving his vote against the motion.

Mr. Grey began with noticing what had fallen from Mr. Douglas. He thought it was not necessary to take much notice of a great deal that had been said in opposition to the motion. It was of little importance to the present question, whether Lord Westmorland's Administration had been more corrupt than preceding Administrations, or had relieved Ireland from some of the abuses with which former Administrations had loaded it. He might, without any prejudice to the argument in support of the motion, admit every thing the Hon. Gentleman had said in praise of Lord Westmorland's Administration, for which, however, the people of Ireland had made this most extraordinary and ungrateful return, that, adopting other measures and employing other men, had rendered the Administration which immediately succeeded popular beyond all precedent! If the Hon. Gentleman who spoke last but one had waited till he had heard the panegyric on Lord Westmorland's Administration, he would have had an opportunity of shewing, and, no doubt, would have shewn, that the Duke of Rutland's was equally pure and equally meritorious. Mr. Grattan's charge of selling seats in the Irish House of Peers to purchase seats in the Irish House of Commons failed, because the Irish House of Commons, who were the judges, refused to grant an inquiry. It would be very unbecoming to say, that the Irish or the British House of Commons, in agreeing with ministers to negative motions of inquiry, could ever act improperly; and therefore he must suppose that Mr. Grattan's motion, like several motions made here by his Right Hon. Friend (Mr. Fox), failed for want of ability, and was overpowered by the superior weight of argument and ability opposed to it. He must however say that Mr. Grattan's charge affected persons who were bound to answer by something more than a vote of the House of Commons; and that in all such cases there was a great difference between those who offered proof, pledging their characters on its validity, and those who refused going into inquiry. That advantage his Noble Friend (Lord Milton) now possessed. He challenged inquiry, he appealed to proof, which those to whom he imputed blame had in their power, and they shrunk from the production of it. He was curious to hear the answer of ministers to the charge made against them; but, predetermined to refuse inquiry,

VOL. III. R r they

they had wisely declined attempting an answer. The Right Hon. Gentleman (Mr. Pitt) was at least as able by the powerful aid of his eloquence to confound as to explain. When he wished to avoid facts, which he had frequent occasion to do, he entered into a magnificent declamation upon general principles, sometimes of the prerogative of the Crown, sometimes of the privilege of Parliament, just as happened to suit his purpose for the moment. The question was not now about general principles, but simply and plainly whether sufficient ground was laid for inquiry into circumstances which no man could deny to be within the scope of Parliamentary inquiry? He admitted concurrence of sentiment and of opinion among those who were jointly to conduct the affairs of Government, to be necessary; but, after what the House had heard, was the want of this all that marked the case before them? If Lord Fitzwilliam had differed in opinion from his colleagues, upon measures, however important, he might have been removed upon that difference before such measures were brought forward as the measures of Administration, without affording any ground for inquiry. Here however measures of the utmost importance had been brought forward; the dereliction of them had been the cause of great discontent and great danger; and to ascertain by whose fault this danger had been incurred, was fit matter of inquiry. The removal of his Right Hon. Friend (Mr. Fox) from the office of Secretary of State for the Foreign Department, at a period when negotiations of the utmost consequence were depending, had been alluded to. Supposing that to have originated in a difference of opinion with respect to recognizing the independence of America, would it have formed ground for inquiry by Parliament? Certainly not. If his Hon. Friend had offered independence to America in a way to which his colleagues in office refused to agree, then it would have been fit matter of inquiry to discover by whose fault an offer had been made which ministers refused to confirm. In a more recent instance, when the Duke of Leeds went out of office, upon the dispute with the Empress of Russia about Ockzakoff, he would suppose, as the Right Hon. Gentleman, when bent upon going to war, affirmed, that upon Ockzakoff depended the commerce of Poland, and the peace of Europe, and that the Duke of Leeds, without the concurrence of his colleagues, had offered to give up, *viz.* the whole question about Ockzakoff, which the Duke of Leeds had too much regard for his own honour to do, and been dismissed in consequence—would not that have been a fit subject for inquiry? Such must both the cases have been, to make them in any

any respect applicable to the present. If Lord Fitzwilliam had resigned in consequence of the dispute previous to his setting out for Ireland, there would have been no ground for inquiry; but what was the case? He went to Ireland, he carried with him measures much desired, and eagerly expected, and while these were going on with the unanimous approbation of Parliament, and applause of the whole country, he was recalled, and his measures countermanded. To bring forward those measures, he had either the authority of ministers here, or he had not. Lord Fitzwilliam said he had; the minister durst not contradict the assertion, but when challenged to proof, resorted to general principles and evasive cases. On the Catholic question in Ireland, or the removals from office, although individuals could not help forming opinions, and he had no difficulty in avowing that his own agreed with the opinion of the people of Ireland, the House by this motion was not called to say one word. All they had to consider was, "Did or did not the measures brought forward in Ireland excite the most sanguine hopes, and the dereliction of them the greatest discontent and agitation, which it was to be feared might end in disaffection to the British government?"—If that question must be answered in the affirmative, it was the duty of the House to inquire by whose fault those measures had been introduced, and by whose fault they were retracted; whether by the fault of Lord Fitzwilliam, which he did not believe, or by the fault of ministers. This was the ground, and the only ground of discussion. It was the natural course of men, who had the proofs in their own hands, to court inquiry when they were conscious of innocence.—However the House might decide, impartial men would form their own judgment. His Noble Friend (Lord Milton) had put a home question—Why if the measures brought forward in Ireland, if the reform of a corrupt system of Government were not intended, were Mr. Grattan and Mr. Ponsonby, men to whom, with their connexions, the people of Ireland had been accustomed to look up with expectation from them, sent for to England?—Was it expected that such men could be prevailed upon to go back impostors and apostates from their former principles? For these reasons he should vote for the motion, which he thought it would be difficult to resist by argument.

Mr. Serjeant Adair said, he rose with very painful feelings, not wishing to influence the vote of any Member of the House, but merely to state that, in voting himself for the Order of the Day, he did not approve of the conduct of ministers towards Lord Fitzwilliam. He went over the circumstances

which induced him to think that Lord Fitzwilliam had been harshly, and even rigorously treated. Ministers could not be ignorant of the measures expected in Ireland after the accession of the Duke of Portland to the Cabinet; if they had known them from no other quarter, they must have known them from Mr. Grattan and Mr. Ponsonby, who spoke upon the subject without reserve.—If, in pursuing new measures, Lord Fitzwilliam was not to employ men in whom he could confide, he would have been placed in a situation very different from that of any other of his Majesty's ministers. He admitted, that there was great blame, and strong ground for inquiry; but, before voting for inquiry, he must answer to his own conscience *cui bono?* Would inquiry heal the discontents or avert the dangers in Ireland? It would have a contrary tendency. Knowing, as he did, Lord Fitzwilliam's high sense of honour, he did not wonder at the solicitude with which he courted inquiry; but what had already passed on the subject was in his mind sufficient to set at rest the most delicate feelings.

Mr. Jekyll said, the barrenness of the arguments urged against his motion rendered it altogether unnecessary for him to say much in reply. He should not attempt to answer the panegyrics upon those whom Lord Fitzwilliam intended to remove from office, for they had nothing to do with the question, much less the Chancellor of the Exchequer's panegyric upon his own character. It was extraordinary indeed that that Right Hon. Gentleman's defence to a very serious charge, should be an account of his own good opinion of himself. To the question *cui bono?* he would answer by another—Was it of no consequence that the men, whoever they might be, whose misconduct had been the cause of so much danger to the empire, should be dragged forth to public odium? If such was the opinion, the House of Commons might resign their functions and be content to register the edicts of the minister.

The House divided on the motion for the Order of the Day:

<i>Ayes</i>	-	-	-	188
<i>Noes</i>	-	-	-	49

Majority 139

Adjourned at half past eleven.

HOUSE OF COMMONS.

WEDNESDAY, May 20.

Mr. Dent observed, that the Committee appointed to inquire into frauds and abuses committed in franking letters and parcels, had now sat for many days. It was not likely that they should be able to make their report in the course of the present session. He therefore moved, That there be laid before the House a copy of the minutes of the Committee.

Mr. Long opposed this motion. The Committee having been appointed for the purpose stated in this motion, if they did not report some ground why they did not do so, why after having sat about a month they came to make this proposal to lay what they had already done upon the table, instead of proceeding to make their report, was to him astonishing. They were not yet so near the end of the session as to make it impossible to proceed further. On these grounds he objected to the motion.

Mr. William Dundas objected also to the motion, on the ground that in the evidence much abuse had been imputed to individuals who had not yet had an opportunity of saying any thing in their own behalf.

Mr. Dent observed, that as he was not aware that any objection was intended to be offered to his motion, he had omitted to urge any arguments to enforce it. He should therefore beg leave to assign his reasons for the motion. It appeared from what was called the Dead Letter Book, that there was lost annually to the Public, by letters mislaid or stolen, a sum no less than 42,000*l.* a year. The Vice-President of the Post-office gave his evidence as to the abuses of the office, for which he was dismissed, although he had filled that station for upwards of twenty-seven years. Before that Gentleman gave his evidence he received a letter from the Post-office, stating, that if he knew of any abuses, he should inform the office of them; to which he answered, that he knew of none that were not as well known by themselves. He gave his evidence before the Committee, and lost his place. Another abuse was that of keeping back newspapers by the clerks of the road. These clerks, by what they called their privilege, sent to the country twenty-five thousand newspapers a night. The only competitors which these clerks had in the circulation of newspapers were the hawkers, and it was a common thing for the clerks of the road, on the night there was an important debate in Parliament, or any thing that was generally interesting in newspapers, to send their own, and keep back the papers sent to them

them by the hawkers, and this explained the mystery of gentlemen not receiving their papers regularly in the country. He adverted to the abuses of the Custom-house and Excise-office, &c. He observed, that by the evidence which had appeared before the Committee, a prodigious sum of money had been lost in consequence of half-guineas being sent by servant maids and indigent people under the seals of letters. It appeared by the evidence of Mr. Bonnor, who had been stated to be Comptroller of the Post-office, that he is now exonerated from the duty of his office, that he attends only for about a quarter of an hour a day, for which he received 700*l.* a year salary, which he certainly considered as a sinecure; that Mr. Palmer had a sinecure of 3000*l.* a year. When Mr. Bonnor applied under the direction of the Committee for an inspection of a book at the Post-office, he was refused the sight of it, although it was well known under what authority he came. The gentleman in that department had caused a great number of letters to pass free, though not entitled to such privilege; and it was understood that their contents were directed to the country booksellers, informing them, that if they took the town publications, magazines, &c. through certain persons, they would not only be sent them free of postage, but also at a very reduced price. Mr. Dent said that Mr. Bonnor appeared to him to be a sensible man, and had given his evidence very intelligibly and fairly. Upon an inspection it had also appeared, that the newspapers which were packed, were many of them unstamped, and many of them old ones, containing other inclosures, and sent solely for the purpose of forwarding the letters which they contained. On the margin of some of these were written, "I am sorry I could not send this letter sooner," *i. e.* I am sorry I could not get an old newspaper before. He stated these things that the House might have some idea of the nature of the subject. The reason why he wished that this motion should be carried, was, that the House should have some knowledge of what abuses did exist, in order that Gentlemen should turn the subject in their minds, before any Parliamentary regulation should take place. He thought that nothing short of a Bill for each of the offices would answer the purpose.

Mr. W. Smith had no objection to the report alluded to being laid on the table, since time was to be allowed for gentlemen accused to be heard.

Mr. Long said, that he should not have presented himself a second time to the Speaker's notice, if it had not been on account of the extraordinary speech of the Gentleman who had just sat down. He was anxious, however, to remove the
im-

impression which the Hon. Gentleman's speech would make upon the House, if suffered to pass uncontradicted. The Hon. Gentleman had said, that 42,000*l.* was lost to individuals, by letters containing money to that amount being either stolen or lost. He positively denied the fact, and begged the attention of the House to the circumstances on which this had been stated:—A book was kept at the Post-office, in which every person losing a letter containing money, entered all the circumstances attending the letter, the date, address, &c. &c. the object of which was, that all possible inquiry might be made to recover it. This book contained entries in the last four months of letters containing bills or money to the amount of 14,000*l.* being missing at the time the entry was made; but would any Gentleman fairly infer from thence that it was lost?—The fact was, that a great part was actually recovered, as would appear by the book. It was probable that many of the letters had been misdirected, or mis-sent, and that in some instances it was recovered, though no notice had been given to the Post-office—A great part of the sum was bills, which though actually lost, the individual might sustain no pecuniary loss.

It appeared also by evidence, that three fourths of what had been entered as lost in the first instance, had afterwards been recovered—He thought the regulation of keeping such a book a good one. He should be very happy to adopt any mode of rendering it more effectual, if such could be devised: But he would not suffer such an impression to be made upon the public mind, unwarranted as it was by fact, as the Hon. Gentleman seemed disposed to make.

The Hon. Gentleman had entered into observations upon the minutes of the Committee. He differed with him in the conclusions he had drawn, which the evidence did not warrant; but he would not be induced to follow in this irregularity: He should be glad at a future time to discuss the subject at large, when the report was made, which it was the duty of the Committee to make. What the Hon. Gentleman had stated was the evidence of Mr. Bonnor alone, and upon that he should only say, that he received that evidence with considerable doubt when Mr. Bonnor had represented himself as discharged from his duty in the Post-office, because he was almost the only person there who had attempted to correct abuse.

(Here Mr. Mainwaring called Mr. Long to order for not speaking to the question.)

The Speaker said, that the second speech of the Hon. Member who had made the motion (Mr. Dent) was so irregular, and had deviated so much from the question before the House, that

that he thought it fair to permit the Hon. Gentleman to reply to facts he had stated, particularly as he had entered fully into the whole of the evidence taken before the Committee.

Mr. Long said, that he justified his reply only by the speech which the Hon. Member had been permitted to make, which contained assertions which he would prove to be unfounded, and which therefore he felt it his duty to contradict.

Sir William Pulteney observed, that it ought to be explained how an obstruction was given to an officer of the Post-office, acting under the authority of a Committee of that House, when he applied for an inspection of a book at the Post-office, in order to obtain information to be given to that Committee. He wished to hear some reasons assigned upon that subject.

Mr. William Dundas observed that *Mr. Bonnor* was refused the sight of the book at the Post-office, because he was regarded there as having no right to the inspection of it any more than a stranger, for he had not taken any active part in the office for the last year. He said he doubted whether the Deputy Chairman had been discharged, as the Hon. Gentleman had stated, on account of the evidence he had given, with regard to abuses at the Post-office.

Mr. Dent said, he did not positively know that this Gentleman was discharged as Deputy President, on account of the evidence he gave of abuses at the Post-office, but he understood so. He observed also, that the proceedings of the Committee were very much perplexed on account of the Committee being an open Committee. Gentlemen often came in just after a witness had answered a question, and not being acquainted with his previous examination insisted on going over the whole of what he had to say again. This sort of practice retarded very much the progress of the Committee, and might perhaps render it impossible for the Committee to conclude their report at all. He therefore thought that the Committee ought to be made a close Committee, or that some such measure should be adopted to give effect to the object which the House had in view, namely, to obtain accurate knowledge of the abuses which he had already mentioned.

Sir John Call and *Mr. Bernard* said a few words.

The question being put, and only 30 Members being present, the House adjourned of course.

HOUSE OF COMMONS.

THURSDAY, May 21.

This being the day appointed for Mr. Wilberforce's motion respecting peace, at 4 o'clock there being only 28 Members present, the House of course adjourned.

HOUSE OF LORDS.

FRIDAY, May 22.

MILITIA ARTILLERY BILL.

The Order of the Day, for the second reading of the Militia Artillery Bill having been read,

The Earl of Radnor rose, and stated his objections to the Bill at length. His Lordship began with noticing the object of the Bill, its avowed principle, and the peculiar circumstances from which it originated. He said, in a war of the singular nature of the present, it undoubtedly was necessary that the army should be well supplied with artillery-men, and that every proper means of training men to the service of the guns should be cultivated, with a view to assist and reinforce the artillery corps. The constitutional troops of the country, the Militia, had been looked to with a view to that object. A meeting of militia officers, his Lordship informed the House, had been held, when the subject was taken into consideration, and certain resolutions had been come to, the effect of tendering to Government their assistance in respect to training men to the artillery service. He confessed that he had been one amongst other militia colonels, who had concurred in those resolutions, and he was now sorry that he had joined in that concurrence, because he had not been aware to what extent of construction their offers would be carried, and the manner in which advantage would be taken of them. In every regiment of militia, the colonel, if he felt a proper zeal for the service, took pains to train a certain number of men to the guns. As a colonel of militia, he had thirty men at a time in training for that purpose, and by the authority of the Bill, as soon as he had made the men equal to all the points of artillery duty, the whole of the thirty might be seduced from him, without his having the power to stop any one of them who applied for his discharge. When they were gone, the next thirty might be taken from him in the same manner, by which the colonels and officers of the militia would be converted into mere drille

serjeants for the supply of the standing army. This his Lordship complained of as a very unhandsome return to the militia officers, for their zeal for the defence of the country; and he owned he felt it personally as a peculiar hardship, as he had last year been authorised by the county of which he was Lord Lieutenant (Berkshire) to make an offer to Government of forty men trained to the artillery, which offer his Majesty's ministers thought proper to refuse. Another view in which the Bill appeared to him to be likely to operate in a way highly injurious to the militia, and which, from the critical circumstances of the times, he thought extremely impolitic, was, the destructive effect it must necessarily have on the discipline of the militia regiments. If a commanding officer disapproved of the conduct of any private in his regiment, or that private was conscious that he had done something to merit either censure or punishment, he had nothing to do but to say he was bred to the sea, or wished to enroll himself in the royal corps of artillery, and immediately obtain his discharge; for his commanding officer had no option, but was obliged to give it him on his demand. His Lordship reasoned at considerable length on this particular, and the clause being compulsory, as it struck directly at the discipline of the militia, and must necessarily weaken the authority of the colonel or commanding officer, and lessen the respect in which the men had been accustomed to hold him. He next discussed the effect of suffering one in ten of all the privates to be discharged into the corps of artillery, as it might upon the whole of the militia amount to so large a number, that would very seriously thin the ranks and take away from the strength of that constitutional force, and render it not only less respectable, but less adequate to the internal defence of the country. In respect to the clause enacting that his Majesty's Lieutenants and Deputy-lieutenants respectively, of the county to which the regiment out of which the private men shall be discharged, belong, and also the colonel or commanding officer, and every commissioned officer, duly commissioned by the commanding officers of such regiment, shall be empowered, by beat of drum, to raise volunteers to be enrolled as private men, in the room of those discharged, his Lordship objected to it on various grounds, and complained in very pointed terms of the clause which enacts that the colonel or commanding officer should be entitled to receive ten guineas to be applied in providing other private men to replace those discharged. His Lordship said, it indirectly conveyed a very unpleasant insinuation against the commanding officer, and put him into a situation in which militia colonels ought not in his opinion to be placed. His Lordship stated

stated a great variety of animadversions on these and other topics which the clauses of the Bill suggested, declaring his strong objection to those clauses he had noticed, which would induce him to oppose the Bill. He said he had ever understood that the militia was considered to stand in some respects higher than the regular army, and in others lower; but this Bill appeared likely to put the militia much below the army, to weaken its strength, and to degrade and wound the feelings of the officers. He should therefore object to the Bill's being read a second time.

Lord Grenville, in a few words, assured the Noble Earl, that no idea of wounding the feelings of the commanding officers of the militia had been entertained by those who had been concerned in framing the Bill, and he should be extremely sorry if the Noble Earl, who so peculiarly, and in so honourable a manner distinguished himself by his zeal and attention to the service, as a militia colonel, should really imagine that he was at all degraded, or in any degree deprived of his authority as a commanding officer by the Bill. With regard to the militia standing higher in some respects than the army, and lower in others, he knew of no such distinction. Both were equally entitled to stand high in the opinion of the country; nor ought any distinction to be made between them. His Lordship spoke of the great importance of the object of the Bill, which went to take seafaring men out of the militia, and send them on board the navy, and to assist and strengthen the artillery corps, by enabling such of the militia-men as chose to enroll themselves in the artillery, to require their discharge of their commanding officer. With regard to the first of these objects, the Noble Earl had not urged much objection, and therefore it was unnecessary for him to enter into arguments to prove what he believed their Lordships in general would readily concur in, that under circumstances of such uncommon exigency as the present, it was of greater advantage to the Public, that seafaring men should serve on board the navy, than in the ranks of the militia. With respect to that part of the Bill which had for its object the authorising and directing colonels and commanding officers of the militia, to grant their discharge to such men as chose to require it for the purpose of enrolling themselves in the royal corps of artillery, he really saw it in a very different light from that in which the Noble Earl had viewed it. The number of men who would probably require their discharge, he did not imagine would be any thing like what the Noble Earl had conjectured; and if the principle was right, to strengthen the corps of artillery, by selecting men from the militia, after the ratio of only one in ten, surely it

S s 2

could

could not be improper to carry that principle into effect by the most certain means. His Lordship said a word or two in reply to the several objections that had been taken by Lord Radnor to the different clauses, and concluded with declaring that he should give his support to the Bill.

The Marquis Townshend said, it would hardly be suspected that he was not a friend to the militia, having had the honour of first suggesting the plan of that constitutional force, and been not a little instrumental in carrying it into execution, in spite of a great variety of objections, founded upon false notions of its principles. If he saw any thing in the present Bill, that really tended to weaken the militia, or to lessen the respect due to its commanding officers, he would most readily concur with the Noble Earl in opposing its being read a second time; but it really did not appear to him to be liable to the objections that had been urged against it. The Noble Earl had laid great stress on the circumstance of the militia officers having those men taken from them, whom they had taught the service of the guns, and had said, it was actually converting the militia officers into drill-serjeants. That was not the case; but surely if the militia could be applied to the training up of men for the artillery, it would be applied to a very useful purpose. The Marquis stated several other reasons for his supporting the Bill.

Lord Romney expressed himself to be concerned to have heard such arguments from the Noble Marquis, who he had expected would have withheld his approbation from a Bill which in his mind was calculated to undermine the whole system of the militia. His Lordship said, he thought it incumbent on him to take part in the debate, as he had been the person who had brought in the Bill in the House of Commons, for reducing into one Act of Parliament the militia laws; and as a friend to the militia, he could not sit silent, when a Bill was under discussion which departed so violently as the present Bill did from the original principle of the militia. He thought the Noble Earl entitled to the thanks of every man who was a friend to the militia, for having stated his objections to the present Bill, with so much force and ability; to those reasons he heartily subscribed, and he must say that not the least objectionable part of the Bill was that which directed the colonels and commanding officers to grant discharges to their men when required, for the purpose of enrolling themselves in the corps of artillery without limitation, for so he considered the operation of the Bill would prove. He declared he was sorry to see a militia Bill brought into Parliament, because he had observed, that every such Bill had departed by little and little from the original

original principle of the militia. This Bill was undoubtedly a more violent departure from that principle than any preceding one, and threatened to undermine the militia system altogether; he should therefore hold it his duty to oppose it.

Earl Spencer rose to support the Bill, as a measure calculated essentially to conduce to the benefit and advantage of the public service, at a time when every thing that could be done to further that important end was highly necessary to be attended to. His Lordship declared, he was himself a sincere friend to the militia; he had served in it several years, indeed till other important duties called him from it, and if he thought the present Bill tended to injure the militia, he should himself object to it; but he was persuaded it did the militia no injury, and would do the navy and royal artillery essential service. His Lordship urged the great importance of contributing to the better manning of the navy, by every possible means, and after a few more arguments in favour of the Bill, declared he should give his vote for it.

The Earl of Hardwicke also spoke in favour of the Bill. His Lordship stated what had passed at the meeting of militia colonels, to which the Noble Earl who opened the debate had alluded, and said, it was upon their suggestion and offer to train men to the guns in their respective regiments, that the present Bill had been owing. At that meeting the resolutions proposed, with respect to the propriety of offering to assist Government at the present arduous crisis, had passed unanimously, because it was considered as a fit means of evincing the steady loyalty and firm determination of the militia to conduce by every means in their power to the general defence of the country. His Lordship said, he had not altered his opinion upon the subject since he delivered it at the meeting to which he alluded. He approved of the present Bill, and it should have his support.

The Marquis of Buckingham said, he had endeavoured to prove himself a friend to the militia, and had spent many years of his life in that service, and no man could be more thoroughly convinced than he was, of its essential use to the country. Impressed with this opinion, he could not but be conscious that the militia and the Public were highly indebted to the Noble Marquis, who spoke lately, for the very great assiduity and attention he had so honourably shewn to that service; but he could not help differing with him entirely in respect to the present Bill, which he thought highly prejudicial to the militia, and not a little disrespectful to its officers. His Lordship went into a very ample discussion of the principle of the Bill, its avowed objects, and the means it held
out

out of enabling Government to obtain them. He analyzed the preamble, and indeed the whole of that part of the Bill which referred to the objects stated in the preamble, declaring that they were mischievous and impolitic, tending to weaken the force of the militia, and, what was still worse in times like the present, to destroy discipline and subvert subordination. He shewed that the giving the private an unqualified right to demand his discharge from the colonel or commanding officer, and leaving the latter no discretion whatever, but obliging him to grant it, could have no other tendency but to destroy discipline. The clauses of the Bill, the Marquis said, went much further than the words of the preamble led those who read it to expect, and the provisions contained in the clauses far exceeded the ideas entertained by the militia officers at the meeting alluded to. His chief objection went, however, to that part of the Bill which regarded the men to be discharged from the militia in service, in aid of the artillery corps. The only limitation prescribed was, one out of ten, which upon the whole number would amount to five thousand, and those taken from the militia, when they were in camp and in actual service. How was this great deficiency to be supplied, and especially at such a time of year? The Bill said, volunteers were to be recruited by beat of drum; but where were men to be got at that time of year, and what authority had he or any other Colonel of militia, to compel his officers to go upon the recruiting service? He knew not of any. Another impropriety in the Bill was, the bounty money was stated equally, and was the same throughout the kingdom; whereas their Lordships well knew, that in some counties men were to be got much more readily for two or three guineas, than for ten in others; a discretion, therefore, ought to have been given to officers to act accordingly.

With regard to the part of the Bill that referred to seafaring men, it was open to much abuse, as a seaman might accept the bounty and enlist one day, and demand his discharge the next, in order to go to sea; because although seafaring men could not be balloted for militia-men in the first instance, they might be taken as substitutes. In fact, there was neither of the provisions of the Bill which went to its two main objects, that was not highly exceptionable. The Noble Earl had complained of the taking away the men for the artillery service, as a particular hardship to him, because he had made an offer to train forty men for the corps of artillery, and his offer had been rejected. He complained of it as a personal hardship to him for a directly contrary reason, *viz.* because that

that he had made a similar offer, and that offer had been accepted. The men so trained were to be taken from him twice.

Having gone through his objections to the main parts of the Bill, the Marquis declared, there were various others which he could state, but he would confine himself to those topics which had been principally rendered the subject of that day's debate. The remainder of the Bill consisted of clauses wholly irrelevant to the statement in the preamble, and were clearly thrown in as ingredients of the *mess* of a militia Bill, which he had experienced in the House of Commons to be generally considered as that sort of *mess*, in the cooking of which a variety of Gentlemen thought themselves entitled to have a hand. His Lordship made some general remarks on that part of the Bill, and concluded with declaring his concurrence in the opinion of the Noble Earl who opened the debate, with whom he said he should vote.

Lord Mulgrave said, he was not much accustomed to take a part in debates upon Bills relating to the militia, as the service he had been bred to and had been in all his life, led his mind to considerations of a different nature. There had fallen one or two observations however from the Noble Marquis, which he could not but take notice of, and first that of a militia colonel not having any authority to oblige his officers to go upon the recruiting service. If the present Bill passed, there was a clause in it authorising the commanding officers of the militia, or officers acting by their authority, to raise recruits by beat of drum, and the colonels and officers of the regular army had no other authority. The main object of the Bill, his Lordship observed, was to remove such men from the militia ranks, as in truth ought not to be in them, seafaring men and men qualified to serve in the corps of artillery; in fact, therefore, it did not affect the militia, properly so considered, but merely those who ought not, strictly speaking, to serve as militia-men. With regard to the hardship complained of, it was not confined to the militia. The regular army were obliged to give up seamen when called for by the Admiralty, and so likewise were those corps, which he considered as the mongrels of the military service, he meant the fencibles. His Lordship expatiated for some little time on these topics, and declared he should support the Bill.

The Marquis of Buckingham replied, and maintained his former argument with respect to a militia colonel's having no authority to oblige his officers to go upon the recruiting service. The Marquis also noticed what the Noble Lord who spoke last had said, respecting the seamen to whom, on application,

plication, the commanding officers of the militia were directed to grant their discharge, which the Noble Lord had declared, if it was any hardship, was a hardship felt equally by the regular army, and what the Noble Lord had been pleased to term the mongrels of the military service. That did not in the least, the Marquis said, diminish the evil complained of, much less did it go to the greater evil stated, *viz.* the obligations imposed on the commanding officers of the militia, respecting the men to be discharged for the artillery service.

Lord Mulgrave was upon his legs once or twice to explain.

The Earl of Radnor declared that he had not heard any argument in the course of the debate sufficiently weighty to do away the strong objections he had stated against the Bill, and which he felt very seriously; he should therefore persist in objecting to the Bill being committed.

Earl Spencer rose again, and expressed his concern that none of the arguments, which in his mind had been so powerfully urged in support of the Bill, should have had the effect of removing from the Noble Earl's mind the objections which he entertained against it. Having, as he had before stated, served in the militia for some years, and being sincerely attached to it, if he really could perceive any just cause for serious complaint, he would not for one give his vote for the Bill; it ought to be recollected that in times of singular exigency like the present, no measure of the nature of an experiment could be suggested, which had not its inconveniences; but under circumstances, when every exertion must be made, and every means resorted to for the defence of the country that could be hit upon, and was likely to conduce to the object, it was incumbent on individuals to submit to the temporary difficulty of the moment, whatever it might be, for the sake of the general safety of the kingdom.

The question was put, and their Lordships divided, when the numbers were,

Contents - - - 23

Not-Contents - - - 6

Majority 17

The Bill was ordered to be committed to a Committee of the whole House, on Wednesday the 27th instant.

Lord Grenville presented a copy of the convention, signed at Vienna on the 4th instant, between his Imperial Majesty and the King of Great Britain, relative to the loan of four million eight hundred thousand pounds.

HOUSE

HOUSE OF COMMONS.

FRIDAY, May 22.

A motion was made and agreed to, "That the House at rising adjourn to Wednesday next."

The Speaker ordered two writs to be issued for the election of burgesses to serve in Parliament for the borough of Yarmouth, and the borough of Agmondesham, in the room of Henry Beaufoy and William Drake, Esqrs. both deceased.

Mr. Secretary Dundas brought up an account of the different sums of money paid to the Emperor by his Majesty's commanders, with the dates of the respective payments.— Ordered to be laid on the table.

MOTION FOR PEACE.

Mr. Wilberforce said, that he rose to give notice of his intention to bring forward on Wednesday next a motion respecting peace. As private business was now almost over, he hoped that a sufficient number of Members would attend on that day in proper time to make a House.

Mr. Coke (of Norfolk) said, he hoped from the intimation which the Hon. Gentleman had now given, that he would himself attend in his place; (this alluded to the absence of Mr. Wilberforce the preceding day, at the time when the House was counted out.)

Captain Berkeley gave notice of his intention after the recess, to move for leave to bring in a Bill for the more easily convicting persons selling ale without licences.

On the question that the Datchet Canal Bill be now read a third time, the House divided,

<i>Ayes</i>	-	-	-	63
<i>Noes</i>	-	-	-	32

The Bill was read a third time and passed.

In consequence of a summons from the Black Rod,

The Speaker stated, that he had attended in the House of Peers, where the Royal assent had been given, by commission, to the Dutch Property Bill, and several other public and private Bills.

IMPERIAL LOAN.

Mr. Secretary Dundas brought down a copy of a Convention between his Britannic Majesty and the Emperor, signed at Vienna on the 4th of May 1795.

The Chancellor of the Exchequer moved, that it be printed for the use of the Members, and taken into consideration in a Committee of the whole House on Thursday next.

Mr. Fox suggested that there was another business which stood for discussion on that day (the motion on the papers relative to the conduct of Sir Charles Grey and Sir John Jervis during their command in the West Indies).

The Chancellor of the Exchequer said, that it would be more convenient for the House, that the other business should be postponed, as the discussion on the Convention between his Majesty and the Emperor would require to be followed up with a Bill.

In consequence of *Mr. Barham* signifying his acquiescence, his motion was postponed till Tuesday, June 2.

Some conversation took place on the Call of the House; *Mr. Stanley* moved, that for the convenience of Members, it should be discharged; but *Mr. Wilberforce* suggesting that, as several Members had come from a considerable distance in the country, if the Call should now be discharged, it might lessen the respect to Calls in future, the motion was withdrawn, and it was understood that the Call should take place on Thursday next, the day for which it was appointed.

Mr. Martin concurred in sentiment with *Mr. Wilberforce*, that if Calls of the House were so seldom to be enforced, all respect for them would necessarily cease.

Mr. Porter prefaced his motion for granting an addition of pay to subaltern officers in the army, with stating the difference of times when that pay was adjusted, and the subsequent rise in all the articles of life. He mentioned the increase that had since been given to the soldiers, and the allowance lately granted to officers in the militia; and concluded with moving, that an humble address be presented to his Majesty, requesting his Majesty to take into consideration the state of the pay of subalterns in the regiments of infantry, &c. and to take such measures for their relief as to his wisdom shall seem meet, and the House will make good the same.

The Secretary at War objected to the motion, on account of the time and mode in which it was brought forward; it involved too great a change to be hastily adopted, more particularly as there was no necessity of the service, which called for any such augmentation as that proposed by the Hon. Gentleman.

General Tarleton said, that as additional allowances had been granted to subalterns of the militia, that House was in a particular manner called upon to consider those of the line; the latter, engaged in war and danger, subject to all the vicissitudes of heat and cold, in all the climates of the world, would receive no increase; whilst the former met assistance and

compassion for sinking, possibly, under the fatigues of a country-dance, or fainting with heat under the rigours of a summer campaign at some watering-place.

The Chancellor of the Exchequer begged to remind the House, that no additional pay had been granted to subalterns of the militia; an allowance had indeed been granted in peace, inferior to that of half-pay to the regulars, which those only should be entitled to who had served a certain time in war, and for which at their monthly meetings they were to do actual service; and this was done merely because it was necessary to hold out some encouragement to supply an existing deficiency. No argument could be drawn from thence in favour of the present motion.

Mr. M. Robinson said a few words.

Mr. Porter said, the advanced price of every thing had been considered a good reason for increasing the establishment of a Prince of the blood, and should have the same weight in favour of a poor subaltern in the army.

Sir William Pulteney thought there was no similitude between the situation of a subaltern in the army and in the militia. Gentlemen went into the army with an eye to promotion; but a militia subaltern could not rise to be a Captain. He opposed the expending so much public money, when it was by no means necessary.

General Smith made a few observations.

The House divided on *Mr. Porter's* motion:

<i>Ayes</i>	-	-	-	7
<i>Noes</i>	-	-	-	37

HOUSE OF LORDS.

WEDNESDAY, *May 27.*

The Earl of Guildford, on the part of Lord Lauderdale, who was indisposed, moved that his motion on peace, which stood as the Order of the Day for the next day, be discharged, and that it be fixed for Friday the 5th of June.—Ordered.

The Bill for increasing the Royal corps of artillery by draughts from the militia, and for drawing from the militia, for the use of the navy, all seafaring men, went through the Committee.

The Earl of Radnor said, he should have to propose a clause upon the third reading; but that he did not mean to give their Lordships any further trouble than merely moving it.

When the Bill was reported,

The Duke of Norfolk moved an amendment, that the words "required and directed," be left out; alledging, that that clause made it compulsory on the commanding officers of the different corps of the militia to part with those men who had been trained to the use of the artillery: To the principle of the Bill in general, he had no objection; indeed he highly approved it, especially at this time, when it was incumbent on us to strengthen our naval force by every possible means; but this compulsory clause, in his opinion, would make the commanding officers less attentive to the training of men to this service, if they were compelled to part with them after they had been disciplined. His Grace said, he thought the officers ought to be invested with a degree of discretion as to the parting with their men.

Lord Grenville opposed the amendment proposed by the Noble Duke. He said, if the principle of the Bill were a right one, the words objected to were proper; as it was more handsome in Government to take the whole measure on itself, than leave an invidious and offensive power in the hands of the commanding officers.

The Duke's amendment was then put and negatived without a division.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *May 27.*

The Master of the Rolls moved the Order of the Day for the second reading of the Bill from the Lords, to remedy certain omissions in the last Act of Parliament with regard to insolvent debtors. The Bill was read a second time, and ordered to be committed to a Committee of the whole House the next day.

Mr. Joddrell moved that the Dead Body Bill be read a second time on Monday next.—Ordered.

Mr. East moved the Order of the Day for the third reading of the Bill to prevent the removal of poor persons before they become actually chragable.

Lord Sheffield urged some objection against the Bill, and moved, that instead of the word, "now," "the 1st of August" be substituted.

The Master of the Rolls thought that more time ought to be allowed before the Bill passed.

A short debate then took place: *Mr. Sergeant Adair*, *Mr. Joddrell*, *Mr. Jolliffe*, *Mr. Taylor*, *Mr. Hussey*, and *Mr. East*, supported the Bill; *Mr. Burden* and the *Master of the Rolls* thought

thought it too important a measure to be adopted hastily.
—The House divided,

For the amendment	-	19
Against it	-	34

The Bill was then read a third time.

MOTION FOR PEACE.

Mr. Wilberforce began by observing, that the subject which he was about to bring before the House, was one which he could assure them he had deeply considered (as it became every one to do, who took so forward a part); that he had revolved it again and again, and that he had even been somewhat confirmed in his opinion upon it, by what appeared to him to be evidently the general sentiment of the Public. There had certainly prevailed an opinion almost every where of late, that ministers were either negotiating a peace, or at least were purposing to negotiate; and the ground on which many, the greatest friends to Government, had, in various letters, advised him to decline his motion, had been, that he was doing that which if Government were left undisturbed would soon, by their own steps towards a peace, be rendered unnecessary. This expectation of peace had arisen, as he insisted, not from any terms in the resolutions of Administration, or in their language in the House; in these they had plainly intimated that they had no thought of making peace with France at present, but from the general posture of affairs, which had naturally led men to imagine that this was a time when pacific measures might be taken. Much joy had been infused into the public mind in consequence; and it might certainly therefore become Administration to shew why, at such a period as this, they should not treat. He was free to confess, that he was not one of those who went the length of agreeing to the old saying, *Vox populi vox Dei*; but he would nevertheless maintain that the general opinion of a people should be superseded by nothing but circumstances of a very extraordinary nature, such as did not appear in the present case against it, and was entitled to a degree of respect that would have induced him, independent of his own unalterable opinion, to have made his present motion.

He thought it a very important duty in every war, not only to take care that in the commencement it was just and necessary, but to look out also from time to time, for every opening which might be given for the conclusion of it; to see whether the original motives for it continued—whether our own country, whether that of the enemy, whether the state of other powers,

powers, and the general circumstances of the times, made it needful still to pursue the path we were treading: He had done so in his own mind in this case, and he would now state to the House that train of reasoning, which, in consequence of his doing so, he had naturally been led into in his closet.

The general subject of the effect of the war on our finances, population, and commerce, had been so lately and so ably discussed, that he should dwell little on those points; he would only observe, that there seemed to have been a mistake in taking so much credit for the present magnitude of our export of manufactures, when that very export was probably to be ascribed in part to the war itself; in proof of which, he quoted an observation from Dr. Adam Smith, on the Wealth of Nations, noticing the mistake which had arisen in a former war on this point. In illustrating this he said, when a Right Hon. Gentleman opposite to him made his motion for a Committee to inquire into the state of the nation, he had heard him deliver several excellent observations on the state of our finances, on the effect which the war might have upon our population, and on the general prospect which this country had from the continuance of the war. Some of these observations were objected to by his Right Hon. Friend, who stated, that our manufactures had increased since the commencement of the war. This statement of his Right Hon. Friend was in some degree correct, but his reasonings upon it were inconclusive; for many of our manufactures must necessarily have gone abroad, and exports of various sorts must have taken place, even in consequence of the war, for at least two or three years in its progress.

With regard to the navy, though certainly it was at present much superior on the whole (though likely to be less so since the treaty by which a Dutch force was to be added to that of France), it certainly was not to be depended on as always superior in every part: The French, by leaving themselves quite weak, either in the Mediterranean, or in the West Indies, or else by being weak at home, might contrive to be superior, if they pleased, at least for a time, in one, if not in two of those important stations; and as they had no commerce to defend, they might, without much sacrifice of interest, strike even with their fleet a temporary stroke. When the extent of our territories also was considered, which it belonged to our fleet to defend, it certainly seemed to be too much to say that in this respect we should be suffered to escape harmless and untouched.

He next adverted to the general state of the allied powers; and particularly dwelt on the subject of the Emperor's late rescript,

rescript, in which he tells the German powers that he is ready to make peace with France; a rescript which he (Mr. Wilberforce) understood the Emperor signed on the same day on which he signed the treaty with this country for a loan for carrying on the war. He had heard it said abroad, that this rescript was only intended to amuse the German powers; and that the Emperor was not sincere in it, but wished rather thereby to prevent a peace; a supposition which he would not so calumniate his Imperial Majesty as to allow himself for one moment to make. What! could it be supposed, that when the Emperor said, as he did, (Mr. Wilberforce here read the words of the rescript) "that he was ready to enter into negotiation," that he meant in reality to avoid a negotiation? When he said that "he would consult the general interests of the Empire," that he meant not to consult their interest? And when he spoke of "permanent and secure peace with the French republic," and "of his endeavouring to accomplish so desirable an end," was it to be supposed that he thought a secure peace impossible or undesirable? or, that he thought the French republic ought not to be acknowledged? If such were the Emperor's meaning, no language could be strong enough for him to use in reprobating such deceit. Besides, if this were the mode of doing away the meaning of the rescript, and we were to trust the Emperor's disposition to go on with the war on such ground, we were to trust him on the very ground of his being unworthy of trust; on the ground of his rescript being an act of duplicity to the States of Germany; and on this ground we were to presume on his being faithful towards us; and all this at the very time when we refuse to make peace with France because she would be regardless of her treaties, "being incapable of maintaining the accustomed relations of peace and amity with other nations."

But even if the words of the rescript should be explained away, the professed object of the Emperor was, to arrest a treaty which was commencing without him, by saying, that he was willing also to treat: The Emperor therefore declared in substance, that he thought France might be treated with. On every ground then, he must suppose that the Emperor thought thus, and was sincere. What then was the state of the confederacy? Our allies were vanishing away apace. Whether the Emperor signed the rescript in his quality of Head of the Empire only, or in that of King of Hungary, &c. also, he did not exactly know; but at any rate, he was not two separate men; and if peace was desirable for the German Empire, any one who cast his eye on the map, must see that
it

it must on the same ground be equally desirable for the other possessions of the Emperor. The aid of Germany, and even of a quintuple contingent, had been stated by many declarations of this very Emperor to be absolutely necessary to the general success of the war; and now if Germany fails him, Prussia also having withdrawn, his own territory being reduced, and his army shut out from crossing the Rhine, how could it be hoped that he would be able to make further head against the French? As to our other allies, it was to be observed that they were not in a better situation than his Imperial Majesty; Spain likewise was reported to be negotiating, and her known weakness was one ground of the report. From Sardinia little was to be expected. An alliance, indeed, with Russia was spoken of, and certainly he felt disposed to commend and not to blame the endeavours of Government to interest the Empress in the war; provided, however, we should not thereby draw down upon us more enemies than would be compensated for by her assistance. Mr. Wilberforce added, that even though his understanding should dictate approbation of a policy of this sort, still his feelings would follow but slowly, for he should find it difficult indeed to bring himself to wish success to such a power as Russia had shewn herself to be.

Having described the state of the allies, Mr. Wilberforce adverted to that of France; and here, he said, some new considerations came in, which the House had never had the full opportunity of deliberating upon before. First, that she had quieted those great internal insurrections, which had occupied considerable armies during all the preceding periods of the war. Not only the allies were lessened in numbers, and in force; not only the King of Prussia had withdrawn, and the Empire seemed likely to follow his example; not only the British troops (a circumstance which ought also to be considered) were removed from the continent, while the line of frontier, both by the capture of Holland and the peace with Prussia, was exceedingly narrowed; but, on the other hand, by the quieting of these insurrections, a large accession of disposable force had been gained to the French, which they might bring at once to bear on any new point. The advantage to the French by the above-mentioned defection of our allies, and the accession to their own strength, he computed at between two and three hundred thousand men.

Next, as to the French resources. Their paper-money, as he understood, was much depreciated, and had fallen still more lately; nevertheless, every thing went on as before. In America paper-money had been depreciated during the war,

far

far below the present depreciation in France, and yet new resources had after that been opened; and the fallacy of supposing that a nation's pecuniary means must end with its paper credit, had been evinced. In point of subsistence, Mr. Wilberforce stated, that he had received information from various quarters, and from some persons who had arrived from France within these two or three days, that, generally speaking, they were in no sort of distress; that in Paris indeed bread had been scarce, but it was now grown less so than before; and in many parts, he believed he might say in most, provisions were at this time cheaper in France than in England. When it was considered, that peace was made between France and Prussia, and that a new market for grain was thus opened, and even that the King of Prussia (if what report said was true) had shewn himself disposed to refuse corn to England, until he had supplied the French necessities (not to mention the like aids to be got from other new allies), surely the want of food would not be urged as a reasonable ground for supposing that France would be exhausted; besides which it should be considered, that the time of harvest was nearly approaching.

Such then were the circumstances of our enemies in point of the great article of provisions; next, what were their tempers and dispositions? In the armies there had been no sign whatever of disaffection. A general satisfaction prevailed in the country, as was natural to expect, on account of the termination of the troubles of La Vendée and of the Chouans; and some hope of peace was excited by the treaties already made, or entered into; whatever partial or temporary tumults therefore might arise in Paris, the idea of a general rising in the country was laid asleep, and appeared now to be over. The general circumstances of the war also tended to make them think their troubles nearly come to an end, for peace seemed to them (as it did to the people of this country) not far distant, and any evils which might arise were likely therefore to be submitted to, under the idea of their being temporary. The conduct of foreign nations towards them tended also to confirm this sentiment. The Duke of Tuscany's treaty with them was a small matter, when considered in the light of an additional strength gained, but it was very important in another view, namely, as a symptom of the sort of confidence which foreigners placed in them. Here was a shrewd Italian Prince, who some time ago thought himself safer under the wings of the confederacy, but who now thought it time to commit himself rather to the protection of France. The French peace with Prussia, and Sweden's recognition

Vol. III. U u

cognition of the French republic, tended in like manner to increase their strength, by sustaining their reputation in Europe.

Mr. Wilberforce adverted to a new event in France, which he said he had heard of since he came into the House. He meant the commotions recently excited in Paris. This, he said, was a kind of event which he was not particularly surprised at, and which, if any body meant to make it an argument against a motion for peace, he should wish to express his opinion against such an use of it very strongly indeed. We must not (said he) allow the happiness of the people of England to be the sport and play of these successive events. He had observed, on many occasions, a disposition in the House, as well as in some people without doors, to be on the watch, as it were, for some new event, and to rest almost the whole ground of going on with the war on something future, the mere operation of chance, which they could not define; and which they had waited for month after month, and year after year. Every little incident was magnified by persons of this description, and was turned into an argument against making peace. He knew not how he could better illustrate and enforce the mischief of acting upon so momentous a question as that of war and peace, on these transient and slight grounds, than by putting the House in mind of what would be the consequence, if France were to act on her side in the same manner. What if her government were to urge the high price of provisions (which, as he had stated, were in general higher here than in France) in the same manner as we urged it, namely, as a proof that we were just exhausted? What if the vast bounties given to man our navy, or to increase our army, and the several new efforts made in those respects, should there be urged; and what if the risings which had taken place in this country, which in one instance had seemed for a short time rather formidable, should be magnified; the account of them being conveyed by persons the least favourable to our Government? Would not a very erroneous judgment be formed in France concerning our resources, and concerning the probable period of our terminating the war, if these alone were the grounds on which the French government should argue on the subject? This reflection, then, ought to teach us caution on our part: It should teach us to look out for some sure footing; not taking up any light circumstance, which made little or nothing to the general argument, and on which a mind that was able to survey and comprehend the whole of the subject ought not to rest.

With

With regard to the probable consequences of pursuing the war, Mr. Wilberforce declared, that he considered them to be in their nature in a great measure uncertain. We had very extended foreign territories, and our enemies were in a contrary situation. With respect to the West Indies, he believed every West Indian would reply, if he were asked, that peace on their account was desirable; and if it should continue to be the policy of the French (as it had hitherto been), rather to ruin us, than assist themselves, it was obvious that accession of territory in St. Domingo was hardly to be desired. There were 400,000 slaves in that colony, many of whom had been in actual rebellion, and others had had great concessions made to them; so that the reduction of that island into an English colony was in his mind far from desirable.—As to Guadaloupe, it should be remembered what venom had been spread there also, where a British fort had been taken by blacks armed against us. Government themselves also had admitted it was not in the power of any naval force effectually to secure our West India possessions. Much therefore was to be lost by war, but little was to be gained in that quarter.

In the East Indies, we were more out of the reach of the enemy; yet the recent treaty with Holland affected in some measure our interests in that quarter; and Indian Princes, as experience has always shewn, are apt to take occasion of making war when they know us to be involved in hostilities in Europe.—The French, though they should give them little help, might at least give them promises of it, and might possibly blow up a flame; so that there also we had much to lose, and little, or rather nothing to acquire. There was another quarter, he meant Ireland, on the subject of which it would be better to hint an allusion, than to say much. It had been expressly advised the Catholics to push their claims rather in a time of peace than of war. If then many or all of our allies should fail us, he would leave it to the imagination of the House to suppose the ground for making peace that arose on this quarter. Lastly then, as to the probable effects of war on this country: Heretofore, indeed, it might justly be said to be carried on in order to prevent the progress of French principles; but now he believed there was much more danger of their being strengthened by a general discontent, arising from the continuance of the war, and from the consequences of its continuance, than from any importation of the principles themselves from the soil in which they grew, for the nature of them had now been seen through; the spirit of jacobinism and fraternization had subsided, even in France, and a gradual change in this respect had taken place. Another bad effect of

of the war in this country was, the drawing off so great a part of the people from the peaceable pursuits of honest industry to a military life. Government, indeed, deserved praise, and not blame, in his opinion, for this measure, so long as the war existed: Still, however, it was a very serious evil, tending to injure the morals of the people essentially, to detach them from the habits of civil life; and though no present consequences might be felt, yet it was probable that very material ones would follow, though possibly at some distance of time.

Nor was the effect of our persevering in the war, on the minds of the people of America unworthy of consideration. On the arrival of the news of the capture of Holland in the capital of America, he had read in an American paper, that a strong expression of general joy had been manifested, and that guns were fired, and the city bells were rung. If, therefore, we should appear to them to push the war to an extreme and unreasonable length, might it not be supposed, that some jealousy would be excited on that continent, either through the idea of our wanting to possess ourselves of the whole of the West Indies (a supposition which he believed they had already made), or of our having a rooted enmity to all republican governments? neither of which could be very pleasing circumstances to their minds.

With regard to the effects of the continuance of the war on France, Mr. Wilberforce declared he was strongly persuaded that the war tended, under the present circumstances, rather to prevent a counter-revolution than to forward one, to retard rather than to accelerate the establishment of a regular form of government. Suppose the most successful events of war to happen: Suppose Austria to penetrate into France: Suppose also, some new Russian allies, fresh from the capture of Poland, to be united with them, and to march into that country, would not the people of France unite more than ever against those fresh invaders, forget for the time their internal animosities, and be again compressed into resistance? Or, suppose these animosities to continue, we had seen already that France, though weak and disturbed in her centre, might still be terrible in her extremities.

An idea, he said, had prevailed, that, if peace should be made with one party in France, and that party should be dispossessed, the succeeding one would, of course, not abide by it. This supposition seemed to him extremely ill founded, although at the first blush of it, it was plausible. If the people were for peace (which they most certainly and almost universally were), every new party would court the popular favour by the pre-

servation

servation of peace, and not by the breach of it. The party at present in power was that which was peculiarly favourable to peace, more so probably than any which could be supposed to succeed them, and consequently more likely to negotiate on terms that would be at once reasonable and honourable to both countries.

Mr. Wilberforce, having spoken of the consequences of pursuing the war, next turned to those which might be expected from making peace. He said, that wherever we turned our view, the most evident advantages seemed likely to result from it. In the West, in the East, in Ireland, and at home, much was to be expected from it. He particularly noticed, that our markets, which the prolongation of the war might deprive us of, remained still open. If then peace was so desirable, what obstructed it? Would not the people of this country be persuaded to agree to it? If they should see Government treating for peace, did the House think the nation would feel disappointed? He had already noticed their wishes on the subject. Were the allies unwilling? The chief doubt was, whether, if we pursued the war, and even paid them for it, they would continue to join us. Were the French unwilling? either the French people or the French government? He was firmly persuaded, that if any such pacific language was held out, as that which his motion conveyed, means would be soon taken to try by some neutral powers the effect of a negotiation. There had been in France a growing spirit of moderation. In Bourdeaux, British property to a great amount had lately been suffered to be taken away, though known to be British, and that part of it which the Convention had taken for its own use had been restored in value, upon an appraisement made by the brokers usually employed by the merchants. He could not help wishing for his own part, to hail any thing like a cessation of frenzy, and to take care lest we ourselves, by our high language, should again bring on the paroxysm. Hitherto our language had been, that though we would not refuse to make peace with France, even under the form of a republic, yet we were decidedly against making peace with the present men in power, and with the present republic; for we have implied that the present government is incapable of maintaining the accustomed relations of peace and amity with other nations.

The motion which he meant to submit to the House, he said, would not oblige Government to treat; it would merely prepare the way for it. It would do much less than the Emperor had done; for the words of it were much weaker than those used by him in his rescript. He had expressly declared
France

France to be capable of maintaining these relations, by the whole spirit, as well as words of that state paper. What the Emperor had done thus strongly, and at the same time partially, Mr. Wilberforce wished the House to do in a more dignified manner, by declaring itself not unwilling to entertain negotiation, with a view to peace with all the allies. The following was, he said, the motion which he should conclude with before he sat down :

“ That it is the opinion of this House, that the present circumstances of France ought not to preclude the Government of this country from entertaining proposals for a general pacification ; and that it is for the interest of Great Britain to make peace with France, provided it can be effected on fair terms, and in an honourable manner.”

Mr. Wilberforce proceeded to offer something that might serve as an answer to what probably would be the arguments advanced against the measure he recommended ; particularly adverting to the objections to peace urged by Government in former debates. Many of these he remarked were now turned in a great measure, through the change of circumstances, against those who used them. For instance, it had been urged as a reason for continuing the war, that if we would not continue it while we had the advantage of so many allies, we should in the end have to make war alone. That argument would not be pressed in the same degree at present : Because that very event was approaching, not through our making peace, but through our too long continuance of the war ; and if we wished to secure a future co-operation of allies, the way would be to dissolve what remains of the confederacy by consent, before it entirely dissolved itself, as the only chance of resuming it, if hereafter it should be necessary : He might therefore in this particular instance retort their own argument on themselves. Another argument, always hitherto used, would not at that time be repeated, *viz.* that we could not make peace with France without acknowledging the republic ; and without acknowledging it as founded on the principles of liberty and equality, and the rights of man. But had the Emperor of Germany, had the King of Prussia, had the King of Sweden, had the Duke of Tuscany, in this sense acknowledged the republic ? Had they signed, or proposed to sign (as all who acknowledged the republic were said to do), their own deposition ? No ; the treaties entered into had been mutually signed as other treaties usually are, and it had been shewn that no impediment of this kind had existed.

Again, the safety of Europe had been declared to be a principal ground of war ; but if Europe was determined to take

care

care of itself, and to make peace as the best means of consulting its safety, did it belong to Great Britain to fight her battles for her, and to fight them alone, or almost alone?

The declining resources of France had been stated as another encouragement to go on with the war—but when was the cessation of them to arrive? Their armies did not want fresh requisitions, and every thing went on still much as heretofore.

There was one view of the subject, which he had not yet taken, which seemed so highly important that he must here touch upon it. He alluded to the prospect which naturally presented itself to some minds, of a general war in Europe, as likely, ere long, to arise. Russia, it might be supposed, would take part with us. Turkey, on the other hand, and other powers, with France; and a new scene of the most extensive hostilities might in that case follow. Humanity shuddered at such a scene; but even putting humanity out of the question, it seemed to him, in the view of dry policy, that such a course of events must be highly prejudicial to Great Britain. Who could say what might be the consequence of strengthening Austria and Russia, as their successes might do; or of the irruption of French troops into almost every part of Europe, if the other side should prove superior? The very opposing armies might catch the spirit of French democracy; and when it was considered that the French revolution owed its rise to a great pressure on the lower orders of the people in that country, what might not be the consequences on the happiness as well as on the minds of all the lower order of people in Europe, if an expensive, destructive, and almost universal war should prevail? Certainly the effects would be incalculable.

Mr. Wilberforce here observed, how important a duty it was to endeavour to stop the flames of war from thus extending themselves over the world, and how ardently he wished to prevent the extermination of so large a part of the human race. Never did he more strongly feel his obligations to his constituents, than in such a crisis as the present; when by sending him to Parliament they enabled him perhaps to be an instrument (however unworthy of it) of lessening the destruction of mankind, and promoting the attainment of the peace of Europe. And what were the objects to be effected by our pursuing war? To obtain a government in France worthy of trust? Every nation almost might carry on eternal war on this principle. Might not Turkey say the same of Russia, who had uniformly broke faith with her; and even Russia of Turkey,

Turkey, of whose religion it was the professed principle never to make peace with infidels?

Mr. Wilberforce concluded, by remarking what would, in his opinion, be the true line of policy for this Court, namely, to cultivate our domestic resources, to consult the happiness, the good morals, and the comfort of the lower orders of the people; and to excite their confidence in Administration:—To abstain on the one hand, as much as might be, from continental connexions, on account of the general uncertainty of them, the character of foreign Princes, and the situation of the affairs of Europe. He ended with observing, that what he had said had been distinct, as he trusted, and determinate—he hoped that those who made objections to his arguments, would treat the subject in like manner, and not resort to any subtle distinctions; nor merely advise the House in a general way to go on, hoping that things (though they knew not why) might turn out better. Predictions of the success of war had seldom answered. Predictions of the advantages on the side of peace had generally been fulfilled. In the case of America it had been said, and by high authority, that if we made peace, and recognised her independence, “the sun of Great Britain would be set for ever;” but by the operation of the most simple and common causes, the greatest prosperity had followed our pacification with that country. The same he believed would happen, if they would make peace with France; and the motion which he proposed would hardly fail, if it were carried, to bring about that object.

Mr. Duncombe rose to second the motion. He adverted to an argument that had often been urged, that it was impossible to have a permanent peace with the present Government of France, and asked whether we had ever had a permanent peace with France, or whether during the last half century we at any time had a peace that had lasted for more than seven years? The fact was, that we had been continually embroiled in wars for the ambition of that very Monarchy which we were at this time so anxious to restore. There was only one difference, he observed, between former wars and the present; formerly we were at war with the Kings and ministers of France, at present we were at war with the people. He remarked on the state of the confederacy against France, and on the absurdity of any reliance on the proffered assistance of the Empress of Russia. Such an offer on her part, he said, could only proceed from a strong presumption of British credulity. Had Russia really wished to lend any effectual assistance to this country in the prosecution of the present contest, she had opportunities sufficient to have evinced the sincerity of her intentions.

tentions. Far was it from his intention to reflect on the character of the soldiers and officers who had been engaged in action; their conduct was such, in his opinion, as added fresh lustre to the military fame of the country; but he could not help thinking that there had been something remiss in our naval operations. He quoted the conduct of the fleet which under Lord Hawke in 1759 gained the celebrated battle of La Hoche, and which during almost all the winter had been out at sea, cruising off Quiberon Bay and Brest, and preventing any depredations upon our commerce. Mr. Duncombe considered the present motion as a call upon ministers to put a stop to the scene of misery and calamity which was going on; to conciliate the public mind by adopting measures to bring about a peace, and to preclude the necessity of making any addition to those burdens, which had already increased to such an extent, that they could not much longer be borne. Amidst the distress created by these burdens, he adverted to a Bill brought in for paying certain debts, which had excited an honest and a general indignation in the country,—a Bill which, if it was allowed to pass, must for ever stain the character of the House. He obliquely censured the recent dismissal of a gallant officer, and asked, on what particular circumstance ministers built their hopes of success in the prosecution of the present contest, whether on the situation of the West Indies, or the superiority of our fleet in the Mediterranean, which had derived so much advantage from the Spanish co-operation? He concluded with stating, that he had long been a warm friend to the administration of the Right Hon. Gentleman, and was so at that moment, but he must confess that he shuddered at the prospect before him.

The Secretary at War declared, he was much surprised at the reasons which had been urged, and considered the motion as extraordinary, not only in itself, but extraordinary when compared with the opinions and late decision of the House, and still more extraordinary when compared with the former opinions of the Hon. Mover. He certainly agreed with the Hon. Mover in the general propriety of bringing forwards such questions during a war, and particularly a war like the present; and he thought with him too, that such questions might be brought forward in opposition to the ostensible objects adduced against them, although his own objects should be drawn out like charges in a bill of indictment, and that the issue should be tried whether they could be attained or were unattainable. The grand subject for consideration then was, whether the probable evils of carrying on a war were greater than the more certain evils of remaining at peace.

He proposed to consider this subject generally, though generally considered there was nothing in it, the House having before decided upon it; and if particularly viewed, he could not discover any ground for revising that decision, as no change had since taken place. Though he wished to consider the question without any reference to former discussions, or to former opinions, he was obliged to notice some which must apply and connect themselves in some measure, and therefore could not be well separated.

He must first know with whom he was arguing, and how; whether it was with any of those who at the commencement of the war were convinced of its necessity, and voted for it as the only means to preserve the constitution of the country, the dignity of the English character, the religion, laws, and liberties of the nation, the safety, honour, and security of the empire, and the commerce, morals, and happiness of the people; or whether he was arguing with one of those who approved the principles and doctrines of the French revolutionists, who did not wish to overthrow the dangerous system of those extravagant enthusiasts; but however strange it might appear, though nothing scarcely should be imagined strange in these days of fantastic philosophy and pretended reformation, who believed, and do still believe, that the establishment of the French republic is desirable to mankind. He declined, however, addressing himself to any persons of the latter description, because he conceived they were too much intoxicated with intemperance, and so completely blinded by their zeal, as to be so regardless of reason in fact, that any attempt to convince or convert them would prove fruitless and absurd. He contented himself therefore with an address to those who had hitherto concurred with him in the propriety and expediency of the war; and those he did not doubt would still concur with him in the propriety and expediency of its continuation, nor did he doubt but they would form the majority of the House.

In every question respecting peace and war, and more especially in every question relating to the period of the present war, there were, he observed, two things to be considered: First, what you propose to gain by a peace; and secondly, the means of gaining it. The Hon. Gentleman who moved the question, and his Hon. Coadjutor who had seconded it, had talked of peace, as peace. He would confine himself to the speculations of the first.

The Hon. Gentleman, by his argument, appeared to think that the moment peace was signed we might disband our armies, and prosperity, happiness, and a thousand other blessings would

would immediately ensue. He had no apprehensions of disturbance, but indulged his fancy with chimerical ideas, without looking to any solid inference whatever. He did not inquire whether ten-fold dangers might not follow from our insecurity, nor did he suspect that every endeavour on the part of the enemy to entice us into a peace, was very probably an artful manœuvre to lull us, that they might take advantage of our weakness and credulity, to commit, unpunished, their premeditated acts of cruelty and revenge.

Upon this principle the Secretary said he differed widely, as he could neither think a motion of this nature safe nor honourable. He suspected the Hon. Gentleman gave more into speculations than was adviseable, and was in reality a sort of constitution-monger. He was, on a former occasion, for giving the constitution of America to France. Giving a constitution!—As if constitutions could be transported from one country to another, like the ready-made houses we have seen, and not as they really are, natural and inseparable from the countries for which they are specifically formed, and growing out of the affections, sentiments, and dispositions of the people! They might expect at that rate to see exotic constitutions transplanted, raised as children do boughs, in some loose earth between a few pieces of broken brick and tile, and then be told, “Behold we have planted a constitution”—as the children believe they have planted a tree, and that the tree will grow. Of such a growth was the tree of liberty, and it thrived accordingly.

If men had fixed upon the sort of peace that will please them, the second question then occurs, in what way was it to be obtained? True it is, that if neither party were to express their inclinations for a peace, nor make overtures for it, a war would be endless; but there were different ways in different circumstances to be pursued. He wished the Hon. Gentleman had considered how far the inclination of France for peace should induce us either to advance to meet her, or to accept her conditions. There were two ways in which this inclination ought to be considered: First, whether it would grow and increase till we confirmed it; and secondly, whether it came from such causes as would enable us to rest secure, provided it was granted. Otherwise it were easy to get that which, when got, would be of no value, and it were no less easy to incur such danger, as we should afterwards repent of.

To recur to what was before hinted, what had been the change, since the last decision of the House, that peace could be negotiated now with more security than then? A great

change there had been indisputably, but none that could render the expectation of a peace more permanent, or incline them to forego their former resolution. The government of France is not more durable than it was, the people are not more resolved; but on the contrary, the spirit of domination and the spirit of proselytism were as predominant in them as ever, and they had the same enthusiasm, madness, and disorder.

Their system was that of moderation, it had been alledged, and therefore it was contended that we should treat with them. It is moderate, it is true; but how is it moderate? It is moderate only in comparison with the preceding system of terror, murder, and proscription. Compared with other governments, the government of France is still distinguished for injustice, violence, and insult; or admitting, for the sake of argument, that it were not so, is it possible to prophesy how long it may be before such a system as the system of terror may return?

Let Gentlemen examine, said he, in what manner this change of system had been produced. They had been brought down to talk the language of moderation, and therefore their moderation (the French) was the result of necessity. They were relaxed in their circumstances, their vigour was weakened, and their courage crippled. If they had the desire to revive their former atrocities, they had not at present the power, and it was their duty to prevent them from regaining it. "Their fortune had reached its flood, and was now ebbing fast away. The symptoms of decay are manifest, and the pulse that raged so violently will soon no longer beat."

The Hon. Gentleman desired a precise and a decisive answer. Here is, said the Secretary at War, a precise and a decisive answer, and we are now at issue. He next observed, that the present distress of France did not go to a great extent. No, since the decrease of terror, the communication has so multiplied as to obviate that evil. By the amazing depreciation of assignats, they wrung from the poorer classes of society ceaseless complaints of distress, which by concurrent causes are in some measure appeased. He next talked of reports, reports in the public prints of recent disturbances at Paris. If he could say upon positive authority that these reports were not true, why did he not contradict them? But until they were contradicted, upon such a body of presumptive evidence as they brought with them, they were entitled to credit, and could not be resisted. The Secretary at War did not understand how the Hon. Gentleman could speak of them as he had done. By his expression he insinuated a doubt of their veracity. He might

might as well doubt whether the massacre on the 10th of September was but a report; whether the execution of the twelve or thirteen deputies was mere report, and whether it was reported only that so many people had been guillotined.

The report, however, came through the same channels by which we commonly receive our information, nor did it pass exclusively through one or two. Was it to be treated as a matter of slight report that the mob had broke into the august body of the Convention, that the Members had been forced to fly, that the head of one of their number had been cut off, and that with the head in their hand, the mob had addressed a speech to the President of the Convention? All the public prints have accounts of the mob breaking into the august assembly, and state also, that the Members of the Convention, instead of endeavouring to resist them, were glad to get away as fast as they could, while one of them was seized and murdered. Little hope would be entertained of the permanency and duration of that government, which has not efficient means of protection and defence against such violence and outrage; and as to the supposition of these accounts being bare reports, the Hon. Gentleman had forgotten, that while he treated them so, he had himself published uncertain reports of a treaty of peace between the French republic and Spain, as well as some Princes of Germany.

The Hon. Gentleman had also considered the events that had happened since the propriety of a negotiation was last discussed. Whether the conduct of the enemy was different now to what it was then, could not be easily decided; he had stated, however, that there was an increase of power on their part, and a proportionate decrease on ours, or, what is nearly tantamount, that as our alliances were weakened, their alliances grow stronger. One prominent object, the defection of our allies, was particularly expatiated on, and the Hon. Gentleman indulged his speculation upon others: Nay, he declared that the appearances of decrease of power in the confederacy served to unite them more and more.

To such a declaration, the Secretary at War opposed one broad leading consideration, the state of distress and state of opinions now prevalent in France. To every loss sustained in another way there was nothing but such motions as the present to prevent a speedy termination to the war in the manner the Hon. Gentleman once wished. It was true here was nothing but assertion against assertion, and appeal against appeal. The Hon. Gentleman had promulgated his opinions, and he had stated his. The Hon. Gentleman assigned his reasons

reasons for catching at the first overtures of peace; and in so doing, he talked such language as was never heard before upon any similar business in that House; nor would the country have ever risen to such a pitch of honour, glory, and universal reputation as it had done, if such had been the language of our predecessors. The Hon. Gentleman should have recollected too, that it was not confined to the present war, but extends to other wars in future. He had openly proclaimed, that our burdens had increased to their utmost, that we had no means of defence, that our people were rebellious, and our armies ready to assist them. We had reached the climax of our grandeur, and might supinely repose ourselves, nor attempt to support it, for it must decline. "In former times (said the Hon. Gentleman) our arms protected our commerce, but now we are come to the full enjoyment of our industry, and we will call upon our enemy not to disturb us; leave us as we are, leave us well, or if you do not, we are not possessed of means to defend ourselves."

He had affirmed, that our extent of territory was too great to be protected; that our burdens were too severe to be borne; he had insinuated that the country was come to that pitch of prosperity which it was well if it could keep, but in which every risk might be attended with fatal consequences. With equal inconsistency had he argued with respect to the dispositions of the people. Sometimes he had supposed the constitution to be sufficiently protected by their loyalty, and sometimes he had supposed them to be so irritated, that the slightest addition to their burdens would be sufficient to endanger their allegiance.

This was one of the arguments which the Hon. Gentleman had pretended to touch on lightly. He would not speak out, he said, and there was no necessity to press him, for he was perfectly intelligible. The inconsistency which commonly prevailed in this mode of reasoning, where the arguments were shifted, as occasion prompted to suit the purpose of the speaker, was obvious. Sometimes they declaimed on the loyalty of his Majesty's subjects, and sometimes they proclaimed them to be nearly infected with the contagion of the French republicans. To what, said the Secretary at War, could such proceedings tend, but to lay the country prostrate at the feet of the enemy? Read the various declarations of France against this country, and then judge of their inclination to induce us to make peace. In a discourse lately delivered to the Convention, they state, "that they will make no concessions to Great Britain, nor will they offer any terms of accommodation. They
are

are not afraid of war, and are therefore determined to continue it until they have reduced the pride and power of this haughty country."

Are we to sit down contented with such indignities, such insults, and such aggravation? And here is another odd inconsistency in the arguments of Gentlemen on the other side: When they vindicate this conduct, they assert, that the war causes these atrocities; but when they argue for the express accomplishment of peace, then they say, "Leave them to themselves, and they will destroy one another." What a situation France will be in then when peace is made!

There will be an internal dissension in their government, which must ultimately produce a popular commotion; the armies too will return, and must be still kept to settle the dispute, or else they may themselves assist to keep up the internal warfare. If we have sagacity enough to discover that such must be the consequences of their making peace, may they not have sufficient sagacity to perceive the same, and will they not instantly seek new wars to keep their armies employed, and prevent such calamities? The fact is too notorious for comment.

How could the Hon. Gentleman delude himself so? Does he not know, that with such a government, so feeble, so precarious, so insecure, we can have no stability? And does he not know that if, as it must be, the war should be renewed again, after an interval of peace of the shortest duration, that it requires a greater impulse, a greater energy throughout the nation, and is attended also with a greater expence? For it is in moral as in mechanical powers, a strong force is necessary to put the machine in motion, which once put in action continues its velocity with little aid.

"One of the Hon. Gentleman's arguments (said the Secretary at War) I had almost forgotten. He has taken care, however, to remind me, and I am glad of it. I suspect my observations will contain more than he expected. He has reminded me of La Vendée and the Chouans. Let the Gentlemen opposite to me recollect the language they have used, compared with the event. (A vehement cry of *Hear! Hear!*) Let them remember that they tenaciously insisted that France had but one sentiment. The Hon. Gentleman opposite will call to mind too what he formerly said. "Do you (said he), do you count on Brittany and Normandy?" Yes, the Executive Government did count on them, and proposed to adopt such measures as would better facilitate that event which was so universally desired. This will serve to shew, that a body of good principles does exist in the executive government of this country. When dissensions

sions were said to exist in the internal state of France, it was asked where? At Lyons, Marseilles, Toulon, and La Vendée; and well would it have been for this country if she had immediately taken the proper advantage of those dissensions; and converted them to her use?"

They were lost, however, though it might be said they could not have been lost if they were not possessed—(*A laugh.*)—The Secretary at War supposed the Gentlemen were laughing at their own declarations that no such dissensions existed, when discontent, distrust, and animosity were notoriously carried to the greatest length.

He reverted to the Hon. Gentleman's statement of the condition of Marseilles, and observed that it was not because that under such a tyranny as that of France dissensions do not shew themselves, as we are to conclude that they do not exist. We might have had reasons to know their existence if we had acted with becoming caution, and instead of one La Vendée, we might have known that the whole of France was becoming an entire La Vendée.

He addressed this not solely to the Gentlemen opposite, but to those Gentlemen who had confidence in the executive government of France at that time; and now, when from the more open interior of France we had reports of popular commotions coming from all quarters, was it longer just or reasonable to doubt their authenticity? and if this representation be right, was this the time for such conclusions as the Hon. Gentleman had proposed?

The first argument of the Hon. Gentleman was, that peace would establish the power of those who now preside in France; and what sort of an argument was this? Would it establish the power? Were there hopes it would? Not after the recent instances which for five years have been in various forms exhibited. Was the Hon. Gentleman so prepared as to say, that the change of government had so far changed the evil as solely to have changed his sentiments? If it could, why could it not have done so before in the administration of the bloody Robespierre? According to that mode of reasoning, war could be reduced at any time to a scale of profit and calculation.

Stating generally his opinions on the subject, he saw the motives for continuing the war to be the same; but the prospects were infinitely better than they had been at any former period.

Another objection, applying to the majority of the House, against the motion, was, that, if it passed, the House would thereby take the management out of the hands of the Executive Government. This the House had certainly at times a
right

right to do; but then it was usual, when they assumed that right, to displace the persons in whom the trust of the Executive Government was lodged. Fortunately the motion was not yet adopted.

But nevertheless the charge of inconsistency and rashness, if not something worse, was attached to it. The Hon. Gentleman who brought it forward was the friend of the minister, and had pronounced in the course of that evening many eulogiums upon him. He relied, he said, on his talents, his integrity, and judgment; he praised his general capacity, and he esteemed him as the properest person for administration: But here comes the difficulty. However great his general capacity, his judgment, his integrity, and talents, and however fit for administration, he was not fit to conduct the business of the state, and therefore the Hon. Gentleman proposed to conduct it for him. He would not offer to displace his friend, but he would undertake to manage measures for him, and undertake the office of his dictator.

Did he think the minister would authorise him to perform his functions for him? The Hon. Gentleman would allow for these interrogations by the part he had taken himself in the debate of that evening. He must know, that in all public affairs they were bound to follow their duty in preference to their friendships; and for his own part, the Secretary at War said, he had sacrificed friendships that were dear to him, to his public duty, and he did it because he loved to follow right, though it be sometimes difficult to find where it lies. The Hon. Gentleman had done so too, though he (the Secretary at War) could not but disapprove of the mode in which he had done it, since in affairs of such importance he had been following his own opinions. A christian conscience was understood to be connected with humility, but the Hon. Gentleman had been opposing those of whose integrity and abilities he entertained no doubt, and with whom he was bound in the close ties of friendship. He wished to impress on the Hon. Gentleman's mind, that he was playing a deep game, for if he was not the preserver, he was the undoer of his country; and if he did not obtain the posthumous fame he so virtuously desired, he would be transmitted to posterity with eternal execration.

He wished him to consider likewise, how far he conformed himself to the sentiments of those whose thoughts and actions he had been accustomed to oppose; or how far he adopted new opinions of his own. There were two things to confirm a man's judgment, the concurrence of his friends, and the dissent of his enemies. It so happened that the Hon. Gentle-

man had been playing at great odds, for he had not only the dissent of his friends, but the approbation of his opponents. He had the odds against him also in another way. In every exclusive public concern, but more particularly in a war, and still more in a war like the present, there was a knowledge in the Executive Government which could not be possessed by others. Of this he had just given an instance, though Opposition would neither give the Executive Government credit for their good intentions nor their judgment.

It was not, the Secretary at War said, a grateful task to examine opinions, though he did it to fulfil his public duty. If the Hon. Gentleman thought *his* measures fatal, he thought the Hon. Gentleman's no less so. Such opinions, he conceived, if listened to, were dangerous, and if not listened to, they were still dangerous, though perhaps in a smaller degree. He was aware that a discussion like the present ought to have a share in forming men's opinions more by authority than judgment; but admitting the Hon. Gentleman's were the best opinion, he asked him whether he expected it to be followed? What then, it might be urged upon the other hand, are you never to bring forward any motion because there is a probability it will not be followed? In that case, what becomes of the freedom of debate? Not so; an attempt in itself to do good may be made, though others think it will not accomplish its end. Did the Hon. Gentleman think, that when persons like those in the Executive Government had formed their opinions coolly, and with due deliberation, that his arguments could change them? (*A laugh.*)—Perhaps he hoped for something intermediate?

With regard to other topics, he said, they were not of a sort to be adopted without abandoning all the former. He had heard the Hon. Gentleman talk of a general objection to the war, and of a general sentiment entertained by the people that a peace would speedily be formed by the Administration of the country, which made them all rejoice. If such a peace were formed, that is, by the Administration of the country, they ought all to rejoice, but not otherwise, for it would then be obtained as it ought to be. On the other hand, what did the Hon. Gentleman propose? A peace made by himself in opposition to Administration. The best argument in answer to such a proposition was a review of history.

The Secretary at War replied to Mr. Wilberforce's observations on military character, without which, he urged, our commerce could not be protected; and in regard to his opinion, as well as the opinion of his Hon. Colleague who seconded the motion, upon our continental connexions, he desired him

him to take the authority of our ancestors down to the present moment, in refutation. It may be honourable, in their opinions, to steal out of a war as others had done; but it would be degrading to the British character, justly celebrated for its honour and integrity, and Great Britain would not do it. She had no wish to imitate the Republic of Holland or the Dutchy of Tuscany, but left them to their virtue; determined to preserve our reputation of national honour, and of manifesting on all occasions a generous concern for the welfare of Europe. How different, he observed, was the conduct the Hon. Gentleman had recommended to that pursued by King William, who judged the interests of this country to be so closely connected with all Europe, that he encouraged every alliance whereby she rose in the scale of empire; and of this Mr. Addison was sensible when he wrote his fine eulogium:

“ His toils, for no ignoble ends design’d,
Promote the common welfare of mankind;
No wild ambition moves, but Europe’s fears,
The cries of orphans, and the widows tears;
Oppress’d religion gives the first alarms,
And injur’d Justice sets him in her arms;
His conquests freedom to the world afford,
And nations bless the labours of his sword.”

Whether the Hon. Gentleman had not brought forward his motion to interpose, because the French Government was faint and languid, and her motions wild and irregular, he could not determine; but he reminded him that such an enemy might be dangerous even in her last convulsion, until

“ Omnis effusus labor.”

He then briefly discussed the point, how far this question might be dangerous in the disproportion of mens minds, as it was clear that the hand of a child, with a sufficient purchase, may shake an empire. He thought the Hon. Gentleman’s arguments from the induction of the American war discouraging; since the surprise of a few hundred Germans turned the fate of that war, so, perhaps, if it had been continued some short time longer, as sudden and unexpected an accident might have turned it the other way.

The Hon. Gentleman had said, that the wish out of doors was a confirmation of his opinions. Whose was that wish? Was it not the wish of Jacobins? They have pursued it as the certain way of bringing about their principles. Or he supposed that he had heard some of his constituents express this

with ; for though he did not say that every man who wishes for peace is a Jacobin, yet he knew that every Jacobin wished for peace. He gave the Hon. Gentleman credit for having brought forward his motion from a sense of duty merely ; upon the same motive he declared he had made his reply, and concluded it with moving the Order of the Day.

Sir Benjamin Hammet rose to second the motion, because he firmly believed that Government would make peace as soon as it could be done with safety. As something had been said respecting Russia in the course of the debate, he took the opportunity to declare that he was more afraid of Russia than of France and Spain united. Such was the danger which he apprehended from its predominating influence, that he should not be surprised to see all the powers of Europe, including even France, joined in a confederacy against the Empress of Russia.

Mr. Fox expressed his surprise at the mode which *Mr. Windham* had adopted to conduct his opposition to the present motion, by mingling with his speech so many personal considerations, to which it was difficult for him to reply, and which he did not consider to be the most ingenious mode of argumentation. Those who had opposed the war from its commencement, among which class he was proud to rank himself, the Hon. Gentleman was pleased to hold out as a party, who alone, with propriety, could be the authors of such a motion, which, *prima facie*, he produced as an argument against the proposition. But surely it was unfair to introduce them, when he knew how much their support would injure the cause. In the personal part of his speech, there were some things which all the extraordinary occurrences that had befallen him in the course of his life, had not impressed him with so much astonishment. The Right Hon. Gentleman had said to *Mr. Wilberforce*, "Will you be so bold as to withhold your confidence from your former friends? Will you dare to differ in opinion from those with whom you have uniformly voted? and (looking straight forward at the time) are you not afraid of the company with whom you are now associated?" Did it never once occur to the Right Hon. Gentleman that he was himself a deserter from his former friends, that he had apostatized from his ancient creed, that he was an upstart on the bench on which he sat, and that of the majority which he expects in favour of his amendment that evening, a great proportion would be composed of those with whom he used to differ in sentiment? The Right Hon. Gentleman demanded also why his (*Mr. Wilberforce's*) confidence was withdrawn from ministers, and put the question, if he really could believe that the

Executive

Executive Government, who were so well informed of all that was to take place in La Vendée, would be influenced by any argument he could adduce. No, said Mr. Fox, they are little acquainted with the temper of the present Administration, who will suspect them of becoming suicides of their places, or that all the eloquence of Plato would make them die like Cato in the play.

“ For Plato’s fancies what care I ?

I hope you do not think I die,

For Plato’s fancies in the play,

Or any thing that he can say.”

The House was again called upon to repose confidence in ministers—in the third year of the war, when ministers had completely failed in their promised protection of Holland, of the West Indies, of the friends of royalty in France—in every profession or promise upon which they had demanded confidence. They talked of the glory of our arms under their direction. He wondered they had not read our history, and taken the trouble of comparing any period of it with the losses, disasters, and retreats of the last campaign—retreats not imputable to our officers or soldiers, but to a miserable system which rendered their skill unavailing, and their valour of no effect. Ministers still talked of discontents in France, and appealed to what had happened in La Vendée, Marseilles, Lyons, and Toulon. As far as appeared, the discontents in the three last-mentioned places were the consequence of one party of the Convention being overpowered by another; but, if they were not, what advantage had ministers derived from them? They got possession of Toulon, which they were soon after obliged to abandon; Marseilles, Lyons, and last of all, La Vendée, were compelled or induced to submit to the Convention. If they meant to adduce as an argument in their favour, every opportunity of which they had made no advantage, it was impossible to say where they would stop. Where was the spirit of their ancestors, which was so often invoked?—Why do they attempt to rouse the British spirit, without considering where it is to be pointed? What would their fathers think were they to be told, that with the application of the most powerful external force, and the aid of internal insurrection, we had not, in a struggle of three years, obtained one object of the war? Perhaps they estimate the places which they have lost among their resources, and in this view the present Administration must be possessed of more numerous resources than any Administration ever was. The Honourable Gentleman seemed to feel sore on the idea of a dismissal of the ministers,

nisters, and asked if the House believed he would retain his place when his measures were thwarted? Had the Right Hon. Gentleman's memory been so extremely treacherous? Had he forgotten what had passed in former sessions? Had those debates respecting Ireland and Oczakoff, of which that Right Hon. Gentleman might say, *quorum pars magna fui*, totally escaped his recollection? Did not the minister continue in office when his Irish propositions were negatived, and when all arguments and remonstrance were recurred to in vain? On the Russian armament, did not he (Mr. Fox) with the Hon. Gentleman's (Mr. Windham's) assistance, terrify him out of the scheme, by reminding him, that by obstinately persisting in it he would be in danger of losing his office? In vain had it been urged that a Parliamentary decision had been already given on the question of the present motion: For on former debates, all explanation had been waved by a side motion, like that proposed that night. Be it remembered also, that circumstances were materially altered. The King of Prussia had made a separate peace; and the Emperor, on whose assistance we placed so much dependence, had, in the rescript formerly mentioned, declared his readiness to enter into negotiations for peace with the French republic at any time, which was even more than the present motion required. If the King of Prussia had actually recognized the French republic; and if the Emperor had declared that he was ready to come to terms of pacification, would this country any longer insist that the government of France is not capable of maintaining the usual relations of amity and peace that nations stand in to one another? Mr. Fox declared, he did not wish to be an advocate for the policy of his Prussian Majesty; but he considered the late act of the Court of Berlin, the most justifiable of any that had distinguished the character of its cabinet since the commencement of the war. He asked whether it was fair in the Hon. Gentleman (Mr. Windham) to vilify, as he did, the conduct of the Grand Duke of Tuscany? The Duke remained neuter, previous to the commencement of hostilities by his British Majesty, and at that time, and while we were the weakest in the Mediterranean, that neutrality was approved by this Government; but after that period, it was held criminal in this personage to maintain a pacific conduct. Was it then fair or decent in the Hon. Gentleman, to say that he stole out of the war, when he had always manifested the most pacific disposition? But was the Grand Duke the only example of that sort? Saxony, Naples, and other powers, would certainly make peace if they could. What did the Gentleman oppose to him calculate of the general secession that was likely to take place

place at the present time? Ought it not to be a stimulus to this country to come to the proposed recognition of the French republic? And here, he said, he could not avoid noticing the triumphant arguments of ministers, namely, that a recognition of the republic would be a tacit acknowledgment of French principles—of liberty and equality, and of anarchy. Did the Right Hon. Gentleman go into the war on behalf of our allies?—if the allies have made the acknowledgment we so much deprecated, why do we hesitate? He would not insist on the conduct of Prussia—an ally now no more—to us; for, *de mortuis nil nisi bonum*. The Hon. Gentleman thought that France would not be averse to make peace with this country, but he urged as a reason for our not negotiating, the hostile intention displayed in the course of the war by them.—Surely this was a childish argument: Were the French to shew the most pacific disposition to England, at a time that England was enforcing against them the most hostile measures? The Hon. Gentleman confessed himself no way encouraged by the King of Prussia in his present change of conduct; but surely his treating with the French was at least a consideration worthy the attention of ministers, whether or not they might not find the French Convention capable (as well as he does) of maintaining the relations of peace and amity; or again, whether his separation from the confederacy and accession to the French is not a serious affair. With regard to the pacific conduct of the Duke of Tuscany, he could speak from information that he could depend on, it was likely to produce the happiest consequences; never were subjects more grateful to their prince, for any political act, than the subjects of the Duke of Tuscany, for the peace with France; it united his people to him, it endeared him to his people. With regard to Holland, it had been asked, what had Holland gained by her disposition to negotiate early in the war? What, he would ask, had Holland gained by observing the line pointed out to it by this country—the line of obstinacy pursued by this country at present? The spectacle of the retreat of the British troops through her provinces, and the necessity of being obliged to make a peace with a French army in possession of their country. Had the Dutch negotiated in the beginning, they might have made better terms: But dragged into the war, and continued in it, sorely against their will, by this country, they were forced to take the conditions of the conquerors; and now they look upon us (their former allies) to have been their enemies; and they are to us open enemies. With regard to the arguments of the Hon. Gentleman of the military character of this country, he as freely allowed it, but not in the same way. He denied the inference that had been drawn from it. The bravery of the officers

officers and soldiers was conspicuous, but the glory of the country (if the contrast was made with former times) was greatly diminished. Much had been urged by ministers, that the downfall of the system of terror would be the rise and advantage of the enemies of the French. The system of terror was destroyed on the 27th of July last, and was it not at that time, when this system of terror was crushed, that the armies of the allies (and of this country in particular) were obliged to make a most precipitate and inglorious retreat? Was it not since a relaxation had taken place, from this horrible system, that the French conquered Holland, that they pushed their conquests beyond the Rhine, and penetrated into Spain? Mr. Fox adverted to the West India islands; and asked, were the few places we were able to keep equal at all to the losses? Was it likely that we could maintain our strength in that quarter; and were not our own colonies endangered? The Hon. Gentleman had said much of the uncertainty of report; but if the House were sitting at the death of Robespierre, what would have been the arguments of ministers on this head? Would they not have prophesied the total fall of the French system from it? But what was the case? Whether Gentlemen looked to the revolt in La Vendée—in Lyons, Marseilles, &c. the events of April last, or the reports of last week from Paris, nothing certain, nothing promising could be hoped as a consequence. Whether a Robespierre, a Brissot, or a Tallien rule, it mattered little to England. Better for Administration to conduct their own affairs well, than to found their hopes of success upon the fluctuating and evanescent parties of France. There were, he observed, two modes of argument which were the fairest in the present case. In the first place, he would argue, *à priori*, that a suspicion in the public mind, against the executive government of a country, was the most dangerous that could exist. Such was the case of France, when it was said that the French king had connected himself with the enemies of the republic. This gave them a disposition for cruelty, and produced all the horrid scenes that since have been there acted. Again, after the 10th of August, and all the massacres that took place, which were thought the most favourable circumstances for an invasion of that country; what was the consequence of all this prosperous appearance? Did it not give rise to the system of terror, and did not the Duke of Brunswick retire in precipitation? The confederacy, he observed, was a combination that would go down to posterity with hatred and execration, and hold out to future ages the Princes of Europe as the worst despots that had ever cursed mankind!—He was accused of having approved of the French revolution, as if, by necessary consequence, he had approved of the cruelties of which it had been

been made the pretext. He approved of overturning the despotism of the Bourbons, which had long been the oppression of France and the disquiet of Europe; and of the principles upon which that was done, he did not fear to say that not only he, but those who brought the charge against him, did and must approve. He approved of the resistance made by the Parliament in 1645 to Charles I.; of the conduct even of Cromwell, in the first instance; but although it was impossible to compare that great man with the men who had raised themselves to power in the French revolution, was it to be inferred that he approved of Cromwell's usurpation any more than of their cruelties? He had never said that the French, if left to themselves, would destroy one another; but this he had said, that if there was any prospect of restoring royalty in France, whether or not that was now an adviseable thing, he would not then argue, it must be when the French were left to decide for themselves. What was the period in which parties in France were abandoning themselves to domestic contests? Was it when the Duke of Brunswick was on the plains of Champagne? Was it when the allies were in the plains of Cambray? No! it was when every foreign enemy was removed to a great distance, and their arms were triumphant on every part of their frontier. When the allies talked of giving them a constitution, royalty had the odium of being supposed to aid the foreign enemy; when they had no foreign enemy that would be done away. The French revolution, he observed, was caused by the rash and base behaviour of the House of Bourbon; and he never was ashamed to pronounce this fall of despotism as a desirable—a glorious æra. The old government of France was oppressive to its own subjects, and insidious and dangerous to all the states of Europe. What are the hopes entertained by ministers at present? What use did they make of the advantages of war when in their hands—when they were within one hundred miles of Paris—when they had taken Valenciennes? When La Vendée was in commotion, did the royalists get assistance? No—all these favourable matters were suffered to escape, and now with all the conquests and acquisitions of the French, the House was told, that there were hopes. The Hon. Gentleman had fastened on an argument that made against himself. He asked, did they wish to give France a constitution?

Mr. Fox desired Gentlemen to consider all the proclamations of officers, and his Majesty's declarations coupled with them. They would find that a constitution was meant to be given to France, and that constitution their old despotism, and the restoration of the emigrants to their rank and property.

His own argument on that head had always been, that no one state had a right to model the internal polity of another; Were that the case, there must be two contrary inconsistent rights. He alluded to our conduct to Holland: It was urged that we went into the war to save Holland—of the Quixotic idea of going to war for the preservation of others he should not say any thing; but he could not think it was real chivalry to save the Dutch against their will. The effect shewed our cause to be not only bad, but foolish in the extreme. Could any one hope that Holland would be recovered? Or did we continue hostilities for the sake of Spain, &c.? He had purposely omitted one ally, the Empress of Russia: It was stated that she was a new one. This, however, he denied: It was true, that in point of performance she might be called new; but in point of date, she was a professed ally to this country in 1793. And had she an advocate in the House, she might say, "I eradicated, I destroyed for you the very seeds of Jacobin principles in Poland." France now was recognized by all the neutral powers, by most of the belligerent powers; and yet England refuses a recognition. This, he contended, was in effect preventing Europe and the world from enjoying the blessings of peace and society. He believed that there was less disaffection in England than in any other country; but he observed that every day of war was paving a broader way to disaffection. Was the country to be burdened by unprecedented taxation because of their loyalty? He feared the effect which the advantage taken of the faithful attachment of the people might at last have on them: It must make them believe that they had no interest in the Government; and hence render them indifferent to its duration, or wish its dissolution.

The Hon. Gentleman had made much use of the name Jacobin: But ministers wished to fasten this term by way of odium on all that wished Parliamentary Reform. To that he would answer, that the mode of treating petitions for peace in that House, had given the greatest handle to the partizans of Jacobinism. He was well informed, that in the north-eastern parts of England, and especially one place (Norwich) which the Hon. Gentleman ought to know something of, they would not send petitions against the war, because they considered the designs of ministers the most likely to promote and effect all that they wished. They argued with themselves, that it was vain to hope a radical reform by sending out one party and bringing in another; but believed they had every thing to hope from the present desperate plans of Administration. When the electors of York sent Mr. Wilber-

force

force to Parliament, did they desire him not to use his own understanding, but give himself up to the direction of ministry? If this were the case, adieu to the freedom and legislative capacity of that House. The Hon. Gentleman had alluded to America; did not Gentlemen see similar features in these two unfortunate contests? There was a loyal party in America, as well as La Vendée—the loyalists and the royalists, Mr. Fox observed, tallied even to the minutest point, and hence hopes had been fostered by ministers. In the last year of that war, it was debated, whether or not the American republic should be recognized; and it was urged, that if this were done, the sun of Britain was set for ever. Was not all this conduct the same on both questions, the American war and the present war?

The old and settled enmity of France to this country was, Mr. Fox said, in the old government. But suppose our present objects, if fixed objects we had, to be fully attained. Suppose Louis XVII. seated on the throne, and the emigrants restored, was it to be expected that France would be quiet? No. The smallest knowledge of history forbade such a supposition. Could we, under the restored race of the Bourbons, expect a better faith? No. The present government of France, however unstable it may seem, offered more security from the publicity of its councils, than could be expected from the dark secrecy of any despotism. In this it bore a near relation to the British constitution; and hence a reason arose in his mind for liking it. At all events, he contended, that there was as much cause to hope fidelity from the French as from any of the Princes of Europe. The terms of the Austrian convention, he observed, were to be debated the next day; and therefore he forbore saying any thing on that head; but when the Emperor declared his readiness to negotiate with France, ought we not to hesitate? What evil could result from our recognition of the republic, now that it had been recognized by the Emperor? Were we to refuse merely because Holland was at this time in the hands of the French republic? Those who had used this argument with respect to the Netherlands, should say when that peace was to be expected, which must be preceded by the re-conquest of those countries. He would quote the sentiment of Mr. Burke in the case of America—"Try peace and conciliation, and if that fail, then pursue war." The evils of war we had felt; the evils of peace were only matter of some men's speculation; was it fit then to advance speculation against experience?

With regard to the removal of ministers, it was well known the House had often interfered in the measures of Administration, without making such removal. Mr. Fox concluded an able speech by saying, that he felt indebted to the Hon. Gentleman who had introduced this motion, because the oftner the subject was discussed, the more he was convinced the war would be disapproved. He thought that peace and conciliation could never be suggested too frequently. If these failed, war was still within our reach, but the latter may be continued until the proffer of conciliation was made in vain.

The Chancellor of the Exchequer said, Sir, I shall certainly endeavour to confine what I have to say to the real point under consideration, and must stand excused if I do not follow the Right Hon. Gentleman who spoke last in many of the points to which he adverted. I impute no blame to my Hon. Friend who has made this motion, though I lament and deplore that he has done so. He has acted no doubt from the fullest conviction that he was discharging his duty to his constituents and to the Public at large. A great deal has been said this night about Holland being lost, without taking into consideration all the circumstances that belong to the case. It is not my business at present, but at any other time I should not be unwilling to discuss, whether it was not of immense advantage to Europe in general, that Holland was not added to France without a struggle, and which but for the interference of this country would have taken place two years ago. This union, after a long struggle, unfortunate I admit in the issue, has been formed chiefly from that country indulging unfounded hopes of peace, in a treaty of alliance, which has ended in their having been invaded and conquered; in their having submitted, being promised protection, and having been defrauded of four millions of money. Perhaps it may be better for them in the end, but it is certainly better for the state of the world, however unfortunate it may be for the inhabitants of that country, at the present moment, that they were united to France after a severe and unsuccessful struggle, and when Holland is no great acquisition to France, instead of being added to her, as a great accession, when she was in the zenith of her power. It has been argued this night, that this country entered upon the present just and necessary war with a great and powerful confederacy in Europe; and I admit that this confederacy is narrowed and diminished. But I would ask, whether in discussing the question of peace and war, we have not furnished them with grounds to argue upon, which

which it is impossible they could have had without the existence of that confederacy? To look for negotiation at the present moment is premature, though I look to it at no remote period. I have no objection, were it connected with this business, to follow my Hon. Friend, and the Right Hon. Gentleman, to the West Indies, to examine the efforts that have been made by this country, and compare them with those made in any former period, from which we should clearly see, whether greater exertions had ever been made; and whether the distresses in that quarter had not been aggravated by a great mortality, and other accidental causes.

But I come to the question immediately before us. I beg leave to consider what that question is, and I must say, that my Hon. Friend, in making his motion, suffered himself to be deceived in the manner of stating it; and this pervaded the whole of his argument. His statement was neither more nor less than this: Is a peace on fair and honourable terms preferable to the continuance of the war? We should not have been debating here so long, if this were the question; about this there can be no difference of opinion. But the question is, whether a peace on fair and honourable terms, which is the end of all war, is more likely to be attained by negotiation at the present moment, than by a continuance of the war? Are you more likely to arrive at a better and more secure peace with a reasonable prospect of permanency on fair and honourable terms, by a continuance of the war with energy and vigour, till a more favourable opening presents itself, by taking some step or other to encourage and invite negotiation? That is the question which puts away at once all the declamations on the advantages of peace, which nobody in this country will deny—where the rapid effects of peace have healed wounds, infinitely greater than any we have experienced since the commencement of the present war, in repairing losses far more affecting the prosperity of the country than any we have sustained, and which were so vigorously experienced in the interval of a few years, as to make us almost forget the calamities of former wars.

Sir, that being the state of the question, I mean to submit to the House, that at the present moment, perseverance in the contest is more wise and prudent, and more likely in the end to effect a safe, lasting, and honourable peace, than any attempt at negotiation. My Learned Friend does not chuse to state that this country ought to take the first steps to peace, and he claims great merit for his moderation in not going so far, but only that ministers ought to receive overtures. I beg leave to submit, whether this be not only taking the first step,
but

but doing it in the most exceptionable manner. To say it is not an overture on our part, if we have received no intimation whatever from the government of France to treat; to say we shall be glad to treat, is what do man living will contend. Where the overture comes from the Legislature of the country, it is attended with a degree of publicity which the Right Hon. Gentleman admits is one of the merits of our constitution. But surely this mode of making overtures of peace is not the most convenient, inasmuch as it makes known the whole terms of peace to the enemy. It leaves no will to ministers to take advantage of any favourable circumstances that may occur. For that reason it is that the Legislature does not usually interfere in such transactions, as the true state of the transactions is only fully understood by a few, and therefore it has been wisely committed to the Executive Government. Why has this country, which is so jealous of its rights and liberties, entrusted such prerogatives to the Crown? Why is the making of peace and war, and other prerogatives which form the happiness of this constitution, entrusted to the King? Because it has been found, that the power of Parliament was sufficient to prevent the Royal prerogative from being carried beyond its proper limits. I say the question is then, whether you will step forward, and assume this power of the Crown at a crisis of peculiar delicacy?

The Right Hon. Gentleman who spoke last was of opinion that the French Convention, from the publicity of its proceedings, bore a nearer resemblance to the British constitution, than the constitution of any other country. In this comparison, I trust, it was not meant to be carried any farther, as if the interests of this country were to be discussed in one popular assembly. I hope the Right Hon. Gentleman is not so much in love with France. I think the Right Hon. Gentleman took up that idea rather hastily. I am by no means certain, nor is it worth while here to examine, whether a despotic government, or an anarchical republic, like that of France, most nearly resembles the constitution of Great Britain, which is removed at an equal distance from both extremes. The publicity of the proceedings of the French Convention has been the source of outrage, horror, and disgust, to every feeling heart. That publicity has been a faithful recorder, and an accurate witness of the enormity of their proceedings. The question is, whether we are to take the first step towards negotiation, or to go on, trusting to the Executive Government to take the opportunity of the first favourable moment for negotiation, and in the mean time strengthening the hands

of that government, to persevere with vigour in the contest in which we are engaged. We have been told, that although this question has been several times brought forward, it has never been directly disposed of; it has never been directly negatived. I contend that it has in effect been directly negatived. For when the motion was made some time ago, an amendment was made to the motion, stating, that we were resolved to persevere in the contest, trusting that his Majesty would seize the first favourable opportunity that presented for treating with security. I beg to know, whether that which was done with deliberation, was not negativing the motion. Subsequent to that, this question was discussed again and again, and this House on those occasions came to a resolution, that it did not conceive, under the present circumstances of the countries, negotiation was a measure expedient to be adopted.

But another question here arises. Have the circumstances and situation of the country materially altered since the last motion on this subject, or since my Hon. Friend first found himself an advocate for negotiation? Has the posture of affairs varied since that time, so as to make negotiation more eligible at the present moment than it was at any former period? I heard my Learned Friend state one fact on this business, which no evidence can contradict. I heard him with pleasure state, that the situation of France was now so weakened and exhausted, as to make peace with that government, though not secure, yet that weakness was a considerable security. That something more of this security exists at the present moment, I not only admit, but contend that the prospect is improving every day, and that this becomes more and more ascertained; as I shall state before I sit down. But is this a reason why we should negotiate at this moment? I think not. From facts that are notorious, from things known to the world, there is now a general feeling that there is, comparatively speaking, a sense of security in the country, when compared with the alarming uneasiness which some time ago prevailed. The enemy have not been able to avail themselves of their success and acquisitions; nor have they acquired solid and substantial strength. The natural anxiety of the people of this country has led them to remark the progress of the decay, decline, and ruin of the enemy, as being more rapid than they could have foreseen. When this business was formerly discussed, it was used as a very considerable argument against negotiation, that from our situation then, we could not hope to treat with France on terms of equality: That our affairs since the commencement of the
war

war were in so unfavourable a state, independent of the power of France, as an independent nation, to treat, that we could not reasonably hope to obtain terms of equality, or any thing fair and honourable. Is not this argument very considerably strengthened at this moment, when you compare the state of this country and France? Exhausted and wearied with the addition of your own weakness, will you give up the contest in despair? We should then, like Holland, have to consider what indemnity France would expect of us. I state this as a practical objection, and wholly independent of any question on the security of negotiation. They consider our situation as rendered more fit for negotiation in this way: That we have lost our allies, by which we are reduced to such a state of weakness, that we must listen to peace; and now that our allies have deserted us, it is unnecessary to obtain their consent. We formerly refused to treat with France because we were satisfied she was unable to maintain that peace and amity that ought to prevail among neutral nations. Gentlemen have chosen to forget all the arguments used with regard to acknowledging the republic of France. We refused to treat with M. Chauvelin after the unfortunate murder of Louis XVI. We refused to acknowledge a government that had been reeking with the blood of their Sovereign. Was not that an objection not to acknowledge them at that period? The murder of the King preceded but a very few days the declaration of war against this country.

The next argument is, whether you would dishonour yourself by acknowledging a republic that might endanger your own independence, and which made a public profession of principles which went to destroy the independence of every nation of Europe? I say, I will not acknowledge such a republic. The question here is but simply whether you will acknowledge so as to treat with it? It is not, nor has it been, since the commencement of the war, the interest of England, not from any one circumstance, but from taking all circumstances together, to institute a negotiation with the ruling powers now existing in France.

As to the declaration of the Emperor to the Diet, if it is authentic, that he should be happy to enter into a negotiation for peace, I beg leave to say, this declaration must be supposed to bind the Emperor in no other capacity than as head of the Empire; and I am sure they cannot, and will not state that that precludes him, as Duke of Austria, or King of Bohemia, from performing any agreement he may chuse to enter into, on his own separate account, in those capacities. As the head of the Empire, he might, from the present situation of that country,

country, think it wise and expedient to go beyond the line he may chalk out to himself as a Sovereign Prince and King, as King of Bohemia and Archduke of Austria. There may be circumstances to induce him, as the head of the Empire, to wish to open a negotiation with France, rather than run the risk of a separate negotiation, through the medium of the King of Prussia, contrary to the constitution of the Germanic body; and if that negotiation should actually be entered into, the separate troops which the Emperor, as King of Bohemia and Archduke of Austria, would be equal to these, added to the troops of the Empire, if it were necessary to cover Germany. One of the next points relied upon, and imputed as blame to ministers, was the circumstance of the war in La Vendée and with the Chouans being at an end. I do not see how that circumstance can attach any blame to Government. It has been stated, that the inhabitants of La Vendée have submitted to the French republic. Whoever has conversed with gentlemen coming from France, has been made acquainted with the situation of the inhabitants of La Vendée and the Chouans, as well as from the Paris newspapers. They will do well to consider, whether the French government can have any degree of confidence, that they can reap the least advantage from that union. The advantages of the peace in that quarter have been entirely in favour of La Vendée and Brittany, and not of the republic; the inhabitants have gained by the treaty, and lost nothing. The republic has no right to any accession of strength from this district of the kingdom. Were they subject to requisitions? or did they furnish recruits for the army? or did they increase the treasure of the country? By the articles of their submission to the laws of the republic, if they are reported truly, they are in fact an independent government, from which what are called Patriots are excluded. The state of La Vendée was directly the reverse of that of Holland; and if that country was not an accession of strength to the republic; is it not a confession of the weakness of the government, that they found themselves under the necessity, notwithstanding all their splendid success, to enter into such a treaty as a Sovereign would never have entered into but from necessity?

There is another circumstance which has been relied upon, and which I must not pass over in silence. Among other events of the day, we see that Holland and France have entered into an alliance; and that Holland is to furnish France with twelve ships of the line, and eighteen frigates. The present state of Holland makes that circumstance more favourable for

this country than we had reason to expect it would have been when Holland was over-run by the French.

The question is, whether the state of France is not so weak; whether the distractions and disturbances of the country, and the discontents of the people, are not so great, as are likely to lead to some change or new order of things, more favourable than any that has hitherto appeared.

First, as to the weakness of France. We have been told by the Right Hon. Gentleman that there was no appearance in France of the relaxation of its efforts; that the reign of terror ended with the month of July last; and subsequent to that period they have been as successful as ever. But surely it is not very wonderful if the operations of that great and extraordinary machine had wound up the whole of that extensive empire, by all the men who were put in a state of requisition, and by all the meretricious treasure that was amassed; if so many causes, operating so long, the effects were not to cease as immediately as the causes. The effects in their operation survive the causes; but have the French acquired fresh vigour? Whoever has taken any pains to look at the number and efforts of their armies, and state of the provisions and magazines, and attends to the manner in which requisitions have been carried on; whoever reads the accounts the Members of the Convention give of themselves; whoever reads their speeches; whoever trusts to their own account of themselves; these all prove that the vigour and exertion of that country have been evidently diminishing.

In the next place, look at the state of their assignats, which for a long time has been the subject of a great deal of anxious attention to the Convention. They have been employed almost in a perpetual contest about two things, to make a constitution, and to raise their credit, by preventing an unlimited number of assignats entering into circulation. They therefore passed a decree to withdraw a certain number of them to raise their credit. The nominal value of assignats was only 25l. per cent. At present they are somewhat less than 5l. per cent. Their expenditure is incredible; last month it amounted to twenty-seven millions sterling, which is more than is wanted by Great Britain in the course of a year. This expence amounts to three hundred and twenty-four millions sterling per annum, which exceeds the whole national debt of Great Britain. The commerce of that country is totally extinguished, and a portion of bankruptcy mixes itself with every transaction.

The next article is the price of provisions, respecting which I have received a great deal of authentic information, within these few days, indeed I may say within these few hours; and the price of provisions is so very high, and scarcity prevails to such a degree, as must stop all great and extensive operations.

In the next place, I doubt very much whether the provisions for the French army and navy will in future be so regularly supplied as they formerly have been. I have accounts of provisions being relanded from on board some of the ships at Brest; and the city of Paris has been supplied by pittances from the army on the Rhine. Expressions of discontent are not confined to individuals, but are general, and such as come home to the door of every individual in France. What will be the effect of this complicated pressure, how long it may be continued, or what order of things may ultimately rise out of it, I shall not pretend to say. But I think it may produce, and probably at no great distance of time, some new order of things, more friendly to a general pacification, and to a regular intercourse with the other established powers of Europe. Such is the genuine prospect for all the countries of Europe, for an order of things more satisfactory than we have seen at any former period. It is owing to your perseverance in forcing them, and to which they are unequal, that they would willingly accept of peace. Because you have that in your power at this moment, you are by no means certain that a safe and honourable peace could be obtained. That is, at this moment, premature; a continuance of your perseverance some time longer, will in all probability produce that happy effect.

Compare the situation and resources of this country, feeling for the burdens of the country, which must be felt by the poor and industrious to a certain extent, and deploring their necessity, as they must obstruct the increasing wealth of the country. Look also at the manufactures and trade and revenue, and compare it with the expence of the war. Compare the annual expenditure of twenty or twenty-five millions sterling, to the enormous sum of twenty-seven millions sterling per month, or three hundred and twenty-four millions per annum, the sum yearly expended by France. After you have made these comparisons, tell me whether you will lay aside your exertions, under the peculiar circumstances in which you are now placed. You have laid on taxes unprecedented in their amount, but at the same time have the satisfaction to know that they are borne by the inhabitants of this country without any material severe pressure.—You are provided therefore with

the most ample and liberal supplies for the present campaign. But is that the case with France? No. Every month, every week, is an additional strain of the new machine, and they are not provided with any of that enormous expence which I have mentioned, but must raise it all by forced means, by requisitions, by robbery, and plunder.

I have trespassed too long on the patience of the House. I conclude by observing again, that I have to hope for a more favourable order of things, and I have no reason to be satisfied with any attempt at negotiation at this moment: But by a vigorous prosecution of the war for a short time longer, we have every reasonable prospect that we shall be able to procure for ourselves a solid, permanent, and honourable peace.

Mr. Wilberforce observed, that at so very late an hour he would not detain the House long in availing himself of the privilege of a reply, especially as he should have other opportunities of expressing his sentiments on the important subject under discussion. The House would feel however, that it was incumbent on him to take some notice of the personal attack which had been made on him by a Right Hon. Gentleman (*Mr. Windham*). After some animadversions and strictures on both the matter and manner of what had fallen from him, *Mr. Wilberforce* asserted and vindicated his right, or rather the indispensable obligation under which he lay, to obey the dictates of his own understanding. The high opinion he entertained of his Right Hon. Friend's (*Mr. Pitt's*) integrity, (and of no political man's integrity did he think so highly), the respect he felt for his Right Hon. Friend's understanding (and for no man's understanding did he feel more respect), ought certainly to have great weight with him in the making up of his opinion: But when allowing to these their due proportion of influence (and he need hardly say he should be disposed to assign to them rather more than less than their share), and after carefully surveying, and closely scrutinizing, and coolly, and gravely, and repeatedly weighing all the circumstances of the case, his deliberate judgment was at length formed; that judgment, whatever it might be, he was absolutely bound to follow. He was sent thither by his constituents, not for the gratification of his private feelings, but for the discharge of a great political trust; and for the faithful administration of the power they had vested in him, he was responsible to God and to his country. The truth for which he was contending was so clear an one, that he could not but believe the Right Hon. Gentleman (*Mr. Windham*) would in a cooler moment be ready to retract what he had advanced in derogation of it.

Much

Much the same considerations had been pressed on the House that night in opposition to his motion as had been urged in former discussions. The distracted and exhausted state of France had been again chiefly dwelt on as a ground for the continuance of the war; in reply he would only suggest what he had before detailed at greater length, that a government weak and distracted at the centre might be energetic and terrible on its frontiers; that no symptoms of disaffection had appeared in the French armies; and that their disposable force had been extremely increased by the suppression of their internal discontents, and their having been able to draw off some powerful members of the confederacy: That our enemy had no trade to protect, no colonies to defend; that on the other hand we who had nothing to get, had every thing to lose. No man would deny the danger of the utter ruin of our valuable possessions in the West Indies. Our allies were gradually leaving us, and there was scarce an opening for us by which to make an impression on France. All the objects for which we originally carried on the war were either gone by, or attained, or unattainable. But above all, the relative state of this country with respect to France was now such that we might make peace with little probability of being again attacked, and with the moral certainty whilst our enemy would be growing weaker and weaker from that state of anarchy to which peace would only allow fuller and freer operation, we should be daily growing stronger and stronger from the cultivation of our natural resources, and a spirited and prudent use of the various advantages we enjoyed. He had done his duty in bringing the question forward, and his mind would be at ease; it was for the House to decide, and he adjured them to go with unbiassed minds to the decision of a question in which the welfare of their country was so deeply concerned.

The House divided at half past one, when the numbers were:

<i>Ayes</i>	-	-	-	86
<i>Noes</i>	-	-	-	201

Majority against the Motion 115

Adjourned.

List of the Minority who voted on May 27, 1795, for Mr. Wilberforce's Motion to facilitate the making of a Peace with France.

Antonie, Lee	Great Marlow	Langton, John	Bridgewater
Aubrey, Sir John	Clitheroe	Lemon, Sir W.	Cornwall Co.
Anson, Thomas	Litchfield	Long, Samuel	Ilchester
Baring, Sir F.	Wycombe	Ludlow, Earl	Huntingdon Co.
Banks, Henry	Corff Castle	Lechmere, Edw.	Worcester
Barham, J. F.	Stockbridge	Martin, James	Tewksbury
Barclay, G.	Bridport	Mainwaring, W.	Middlesex Co.
Bastard, J. P.	Devon County	Maitland, Hon. T.	Jedburgh, &c.
Browne, J. F.	Dorset County	M ^r Leod, Gen. N.	Inverness Co.
Bullock, John	Essex County	Milner, Sir W.	York
Bouverie, Hon. E.	Northampton	Milnes, R. S.	Ditto
Bouverie, Hon. W.	Old Sarum	Milbanke, R.	Durham Co.
Buller, John	Exeter	Mostyn, Sir R.	Flint Co.
Burch, J. R.	Thetford	North, Dudley	Great Grimsby
Byng, George	Middlesex Co.	Pierse, Henry	Northailerton
Clayton, Sir R.	Blechingley	Phillips, J. G.	Caermarthen Co.
Church, J. B.	Wendover	Plumer, W.	Hertford Co.
Colhoun, W.	Bedford	Powlett, W. Pow-	
Coke, D. P.	Nottingham	lett,	Totnes
Crespigny, T. C.	Sudbury	Portman, H. B.	Wells
Curwen, J. C.	Carlisle	Rawdon, Hon. J.	Appleby
Crewe, John	Chester Co.	Ridley, Sir M. W.	Newcastle
Duncumbe, H.	York Co.	Ruffel, Lord J.	Tavistock
Davers, Sir C.	Bury St. Edm.	Ruffel, Lord W.	Surry Co.
Dimdale, Baron	Hertford	Shuckburgh, Sir	
Dolken, Sir W.	Oxford University	George	Warwick Co.
Featherston, Sir H.	Portsmouth	Smith, Gen.	Wareham
Felkes, Sir M. B.	Lynn	Spencer, Lord R.	Ditto
Fitzpatrick, Gen.	Tavistock	Smith, W.	Camelford
Fletcher, Sir H.	Cumberland Co.	Sturt, Charles	Bridport
Fox, Rt. Hon. C. J.	Westminster	St. And. St. John	Bedford Co.
Francis, P.	Blechingley	Taylor, M. A.	Poole
Grey, Charles	Northumberland	Tarleton, Gen.	Liverpool
	County	Thornton, R.	Colchester
Gascoigne, Sir T.	Arundel	Thornton, H.	Southwark
Hare, James	Knareborough	Thorold, Sir J.	Lincoln Co.
Harcourt, John	Ilchester	Vyner, R.	Thirsk
Halsed, N. B.	Lymington	Vyner, R. jun.	Lincoln Co.
Hill, Sir R.	Salop Co.	Western, C. C.	Malden
Howard, H.	Arundel	Whitbread, S. jun.	Bedford
Hussey, W.	New Sarum	Winnington, Sir	
Jekyll, Joseph	Calne	Edward	Droitwith
Jervoise, J. C.	Yarmouth, Isle of	Wilbraham, R.	Bodmyn
	Wight	Wilberforce, W.	York Co.
Kempe, T.	Lewes	Wynne, R. W.	Denbigh Co.
Knight, R. P.	Ludlow	Wyndham, Hon.	
Lambton, W. H.	Durham	P. C.	Midhurst

TELLERS.

Henry Banks

Joseph Jekyll

HOUSE

HOUSE OF LORDS.

THURSDAY, May 28.

Lord Hay deferred 'till to-morrow se'nnight, his intended motion on a standing Order of the House, on account of the indisposition of *Lord Thurlow*.

Adjourned to Monday next.

HOUSE OF COMMONS.

THURSDAY, May 28.

A motion was made that the Order of the Day for calling over the House be discharged, and a new order made for calling it over on Friday se'nnight. Several Members were for discharging the order without making a new one; and on a division the order for calling over the House on Friday se'nnight was carried by 90 against 34.

PRINCE OF WALES'S DEBTS.

The Chancellor of the Exchequer gave notice that on Monday next, previous to going into a Committee on the arrangements for the establishment of the Prince of Wales, he should move a proposition by way of instruction to the Committee, for setting apart a sum from the income voted for the liquidation of the debts.

Mr. Fox stated, that what he wished was, that the income should go on, independently of any other consideration, and that it should not interfere with the subject of the debts. From the manner in which the Right Hon. Gentleman had opened the business to the House, he had conceived that the income was to have been kept separate from the debts.

Mr. Ryder said, the mode by which it was proposed to get rid of one inconvenience, tended to introduce another. *Mr. Fox* had wished to separate the debts from the income, and to vote the income first. But the Right Hon. Gentleman would recollect that though the House might be tempted to grant a large income, if a part of it were to be appropriated to the payment of the debts, yet that they might not be induced to grant so large an income, if part of it were not to be appropriated to such payment.

Mr. Powys said, there appeared to him to be two separate instructions necessary, first, for the regulation of the expence in order to prevent any debts being contracted in future, and

secondly,

secondly, for the liquidation of those debts already contracted. In one circumstance he confessed that he had experienced some degree of disappointment; he had hoped that the notice given of the Bill intended to be brought in would have produced some communication to the House, from the illustrious Personage most immediately interested in the transaction.

Mr. Grey professed himself still of his former opinion, that no notice ought to be taken of the debts, and that every application for their payment should be resisted. He considered a positive refusal as the only answer which ought to be given to a proposition for the payment of debts which never should have been contracted. To those, however, who thought otherwise, he could not help remarking, that the question was unfairly put. It was stated, that they were only called upon to vote for such a sum as, abstractedly considered, was adequate to the purposes of a proper establishment for the Prince of Wales, while at the same time it was suggested, that they ought to vote for the particular sum, with a view to the portion to be annually appropriated for the payment of debts. Let the House then be undeceived; let them not, by this unfair mode of blending the question, be led away with the idea, that they were only voting a proper establishment, while they are in fact called upon for the payment of debts. If the honour of the Royal Family had been consulted, a different proceeding would, in his opinion, have been adopted. The minister should, in the first instance, have come to the House for a proper establishment, and then an express message might have been brought down from his Majesty, with the consent of the Prince, praying for relief with respect to the debts which had been unfortunately contracted. This would have been much better than the present mode of proceeding, which had the ignominious appearance of tying down the Prince without his own consent. The whole of the transaction, however, as it stood with respect to the debts, he must again state, met with his direct disapprobation.

Mr. Curwen said, that he considered the notice that had been given by the Right Hon. Gentleman to be perfectly fair. He had voted for the larger sum, meaning to bring forward a proposition that the whole of the augmentation, 65,000*l.* should be applied to the liquidation of the debts. The remaining 60,000*l.* he should leave the Prince to dispose of as he pleased, without any limitation as to his not contracting further. He trusted that his Royal Highness understood too well the sense of the House with respect to the present transaction, to incur the risk of such a step in future. If he should, however, again presume to run in debt, the consequences might be such,

such as it would neither be pleasant for that House to take, nor for him to have taken.

The Chancellor of the Exchequer remarked, that the present conversation was not strictly in order. By the mode of proceeding which he had adopted, he wished the House to discuss first, what income ought to be given to the Prince, and next what provision should be set apart out of that income, for the liquidation of debt. He wished them to dispose of the general question, in order that they might come to the particular discussion in the Committee. By the notice which he had given, he did not intend that on Monday next they should discuss what appropriation should be made for the payment of debt, but only whether there should be any appropriation at all.

A motion was made, that Mr. Charles Yorke have leave to go out of town on public affairs, which was explained to be to attend his duty as a field officer. After some conversation, in which it was stated that every regiment had three field officers, any one of whom was equivalent to the discharge of the necessary duty, the House divided,

For the motion - 52

Against it - 59

A motion was then made, that Captain Berkeley have leave to go out of town, being ordered to join his ship. The case of a naval officer being understood to be an exception to the principle adopted in the former decision, the motion, after some conversation, was agreed to.

A motion was made, that no motion be made for Members to go out of town, except between the hours of four and five.—Ordered.

Mr. Secretary Dundas brought down a copy of General Myer's affidavit.—Ordered to be laid on the table.

Mr. Dundas again deferred his India Budget to Monday the 8th of June, stating at the same time, that if any Gentleman had occasion for that day, he was perfectly ready to give it up.

Captain Berkeley moved for leave to bring in a Bill to prevent the selling of ale without licences.—Granted.

IMPERIAL LOAN.

The Chancellor of the Exchequer moved, that the House resolve itself into a Committee of the whole House, on the Convention between his Majesty and the Emperor.

The Speaker having left the chair,

The Chancellor of the Exchequer said, that important as he felt this measure to be, as many of the considerations connect-

ed with it had been involved in other discussions, and even in that which had last taken place, he should not have occasion to trouble the House much at length. It did not occur to him to be necessary to say any thing at present as to the propriety and reasonableness of availing ourselves of every means of assistance for the vigorous prosecution of the contest in which we were engaged, or as to the expediency of securing to ourselves, in the way proposed by this convention, the co-operation of so great a military power as the Emperor. The House had already decided on those points. They had, however, reserved to themselves, when the conditions should be laid before them, to judge both as to the security offered for the assistance, to the extent to which it had been stipulated, and for the repayment of the sums advanced. When the message was originally brought down, it was doubtful whether, with a view to a larger sum, still more extensive co-operation might not have been required than that which was now fixed. The advances that had been already made, went to the exceedings above the four millions; they amounted to about 550,000*l*. From the general vote of the House on the former occasion, he collected that this sum would sufficiently meet their approbation. Every precaution had been taken that could tend to render the transaction safe or advantageous to us. As to the security for repayment, he stated it to be—in the first place, a general engagement to pay—next, a mortgage on the Emperor's hereditary revenues, to be recovered according to the laws of that country, and a deposit of actions on the Bank of Vienna. In case of non-payment, the sum to be made good by this country. But the Committee would carry along with them that we were guarantees for only a half-yearly dividend on the accidental failure of payment. A considerable delay had taken place, which had been full of anxiety to those concerned in the speculation, as they were obliged to have their money in readiness. Gentlemen on the other side had formerly stated, that the transaction did not present a very advantageous prospect to the subscribers. Fortunately, however, the reverse was the case, and he had no doubt that Gentlemen would rejoice in the circumstance, both as a symptom of the flourishing state of public credit, and as it was fair that those who had run the risk should likewise reap the advantage of any change that had taken place. With respect to the subscribers, therefore, he should consider that the discussion stood precisely on the same footing as formerly. He did not consider it necessary for him to say more, except he should have occasion to add any thing in the way of explanation. He concluded with moving,

“ Resolved,

"Resolved, that it is the opinion of this Committee, that provision should be made for guaranteeing the payment of the dividend of 4,600,000*l.* provided by the Convention between his Imperial Majesty and the King of Great Britain, of the 4th of May 1795."

Mr. Fox said, he should not on the present occasion go at large into the general arguments on the supposed policy of the subject before the Committee, because there was not that attendance which he thought the matter demanded. It was therefore exceedingly probable that he should call the attention of the House to it at a future period, if he should find it attended to in the manner which a thing so very serious and extraordinary in his opinion deserved; however, he could not help making some observations upon it then.

When this business was before the House on a former day, they were told that four millions were to be granted to the Emperor on condition of his providing two hundred thousand men for the common cause, as it was termed; but that if he should provide a larger army, it was said that there should be no objection on our part to granting him the sum of six millions; and it was said, that the Emperor had received some of this money in part of the whole loan; and at that time it was not known how the proposals from London would be accepted at Vienna. The fact had at length turned out, that he was to receive four millions six hundred thousand pounds over and above the sums which had been already advanced to him. What was the consequence of this? Did the Emperor undertake to furnish more than the two hundred thousand men? No such thing; and it appeared that the Emperor had never agreed to what had been stated to the House by the minister. Perhaps it was not criminal on the part of our Government to advance the money which the Emperor had actually received; but he was sure that the House of Commons ought to have more and better information than the minister had been pleased to give them, before they agreed to a proposition which was both dangerous and alarming. There was a rumour that this faithful ally of ours had acted in a manner not very consistent with the character which had been given him; if this be true, we were about to proceed upon very important business indeed, without the least security that we should not be deceived. It had been said, that when the British and the allied armies were in a situation of the greatest peril, and when a delay of only twenty-four hours of the Austrians would have been essential, that delay had been refused by his Imperial Majesty; and the silence of the minister upon that subject made *Mr. Fox* think that this rumour was

well founded. We had continued to pay the Emperor one hundred thousand pounds a month after he had deserted us. When an inquiry was proposed to be made into this business, they were told there were some difficulties in the way of an explanation. He would ask, was that an answer to a House of Commons called upon to vote away by millions the public money? It was objected to by many, and by him particularly, on the discussion of the Prussian treaty, that we should pay our money in such large sums without having an opportunity of knowing correctly how former engagements had been fulfilled. The House was told they could not have any precise information, because the regular returns of the operations of the armies had not been made. This was, in his opinion, a scandalous omission. He disapproved of the Prussian treaty; but that treaty contained an article, by which they were entitled to call for an account, but which they never knew, because no inquiry had been instituted. In the present instance there was no such power, in point of fact, and yet they had been careful to preserve the appearance of it. If, in one month, the Emperor should fail in the performance of his engagement, they might have correct information, but they had no means to prevent that failure. It had been stated, that we were not answerable for the whole amount of the loan, if the Emperor should fail; we were answerable only for the dividends from time to time, as the failure should occur. He really thought this curious: He could not help smiling at it, although he had heard that ignorance is apt to smile. He was really too stupid to see the distinction between being answerable for the whole sum, and paying for ever the dividends that shall become due upon it. The distinction between that and paying a sum of money he did not comprehend. He wished to know upon what our security rested with regard to this loan. He should be answered, no doubt, on the punctuality of the payments of the Emperor; upon that he wished for some explanation, before the House proceeded further in this business. There were some, and he confessed he was one of that number, who had doubts concerning this punctuality, as well as to the faith of the military engagements of his Imperial Majesty; and these were points which required a good deal of explanation. Mr. Fox read an extract of a letter from a person at Vienna to his correspondent here, stating that the Court of Vienna had come to a resolution not to pay dividends of old loans to any persons resident in France; to another resolution, not to pay any persons who had not emigrated from France—that was to say, the Emperor would not pay, except where emigration was proved. Sums of money were due to
a reli-

a religious order of men in France, and the Emperor said he would not pay them, unless they proved they had emigrated from France : And by the second resolution, he had said he would not pay them, because they happened to be in the Austrian Netherlands at the time the French over-ran that quarter. In answer to the minister's assertion, that we had made good use to ourselves of our credit, by the terms of the loan, he observed there were two reasons against it : First, it was not honourable for the British House of Commons to sell the interest of the public credit ; and, secondly, if it was to be sold, it should be sold for what it was really worth. As to the idea that the Emperor intended to keep his engagements, he hoped he did ; but then the House of Commons of Great Britain ought to inquire whether he was able as well as willing to keep them.

It was not then the time to go at large into the general question of the policy of this loan. But there was another point extremely important indeed, and which ought to be attended to by that House. He saw in this convention no stipulation that the Emperor should not make a separate peace. On the contrary it was carefully avoided ; and it was to be observed, that this convention was signed at Vienna at the very time that the Emperor published the rescript to the Diet of Ratisbon, the substance of which was pretty well known at this time. The minister insisted that this matter was discussed yesterday, and the decision of the House made it necessary to discuss that business again. He saw it in the direct contrary view. What was the question the preceding night ? It was this : Whether it was wise and judicious for one of the confederates against France, *viz.* Great Britain, to negotiate with France at this time ? What was the determination of the House upon that subject ? It was—That it would be unwise in us to do any thing that could tend to weaken the confederacy : A decision which he by no means applauded, but that was the decision. And yet it had been that moment proposed, by the resolution before the Committee, that we should embark our credit with one of the Members of that very confederacy, who had done the very thing which the decision of the House the preceding night pronounced to be so dangerous. He thought the rescript authentic : Ministers might think it was not authentic. He wished to know, whether it was authentic or not. If it was, we were going to embark with an ally who, according to the language of the minister, and the determination of the House the preceding night, was going to annul the whole plan of our future operations, and for which we were to vote away millions of the public money, by weakening the
confe-

confederacy and strengthening the enemy. If there was a doubt on the authenticity of this rescript (and he confessed, from what he heard the minister say last night, he feared there was a doubt), it was a very alarming thing, and ought to be explained immediately; for the Emperor had given us no intelligence upon the subject. He certainly had time enough, for the subject of this loan had been under his consideration for some months. If the Emperor pursued the principle of this rescript, and endeavoured to make peace, it might be said, that peace might be had immediately for all that. He thought so too; but then, if France was, as ministers stated it to be, at its last gasp, that wish for peace could not be long delayed. Under these impressions, he hoped that the House, accustomed even as they had been to the insincerity and falsehood of ministers throughout the whole progress of this war, would see the necessity of an inquiry into the conduct of these our faithful allies. If peace should be soon concluded between the French and the Emperor, he wished the House to reflect that we shall have given the whole of our four millions six hundred thousand pounds absolutely for nothing.

There had been something said upon the distinction between the character of the Emperor as such, and that of King of Hungary and Bohemia; that, as Emperor, he might agree to a peace with France, but as Emperor and King, he might pursue the war with vigour. This was perfectly ridiculous; for whenever peace was agreed upon, one of the leading articles of the treaty must be, that he should not suffer troops destined against France to pass through any of his dominions, and therefore he would forbid such troops from going through Bohemia against the then friend of the Emperor, *viz.* France. But he was afraid that all the hopes of the majority who supported this war, were now in the insincerity of the Emperor, as to this rescript. Exclusive of the infamy of such a principle, he advised the House to be cautious in trusting to such a security, for he knew of no real security in the conduct of any man, if that conduct was not founded on the principles of fair dealing. What security had we that what the Emperor was doing in London was sincere, and that what he was doing in Vienna was not all duplicity? We should rather think that he would act according to what he should think the interest of his dominions. He should like to know with what face of sincerity the Emperor could come to the Diet with his rescript in favour of peace, and at the same moment open a loan with this country for carrying on the war. The truth was, the Diet were unacquainted with
his

his determination to accept our loan when he published this rescript, and by the step which we were about to take, we were to become parties to the delusion; and whatever were the real intentions of the Emperor, this was a duplicity of a nature so detestable, that we ought to be ashamed of being parties to it. Having made many other strong observations, he concluded with saying he wished to discuss this subject at a future stage, but he thought it his duty to take the sense of the Committee upon it even then.

Mr. M. Robinson thought we ought to be very much obliged to the Emperor for not taking the whole of our six millions.

Mr. Hufsey followed the idea of *Mr. Fox*, with regard to the loan to the Emperor; we ought either not to have made the use we did of our credit in the terms we had agreed to, or have brought it fairly to sale. *Mr. Hufsey* entered upon various calculations upon the subject, to shew the fallacy of the minister's statements.

The Chancellor of the Exchequer shewed that *Mr. Hufsey's* saving calculation did not go to the extent mentioned; but he thought that as we got the Emperor money at the same rate at which he had offered to receive it from others, it was just that any advantage arising from the guarantee should be to Great Britain, and not to the Emperor.

Mr. W. Smith said, that if the money was lent to the Emperor to enable him to make the greatest possible exertion in common cause with us, we ought certainly to have procured it for him upon the easiest terms, without making any advantage of it for ourselves. This we ought to have done if the war were likely to last but for one campaign, much more when it might probably be continued for two or three. For the same reasons we ought not to have suffered him to pay two hundred and fifty thousand pounds commission upon it, when we might have procured it for him without that expence. It had been hinted, that although the Emperor might make peace as head of the Germanic body, he might continue the war as King of Hungary and Bohemia. How he was to divide his two capacities in such a case, it was not very easy to comprehend. If, as Emperor of Germany, he was convinced of the necessity of restoring peace to Europe, it was natural to suppose that he must feel the same necessity as King of Hungary and Bohemia.

Mr. Jenkinson saw no difficulty in the Emperor's negotiating as head of the Germanic body, and continuing the war as Archduke of Austria, and King of Hungary and Bohemia.

Mr.

Mr. W. Smith said, that if Gentlemen could persuade themselves that the Emperor, who had made war unsuccessfully when supported by Prussia, our army on the Continent, Holland, and the states of the Empire, could hope for better success when reduced to the force of his hereditary states, they saw things in a point of view so very different from what he did, as to leave no common principle to argue upon.

Mr. Fodrell said, the copy of the Emperor's rescript to the Diet of Ratisbon, which he had seen, stated his readiness to enter into negotiations with the French republic, both as Emperor and King.

The Chancellor of the Exchequer said, this was merely the Emperor's usual style, and did not at all bind him as King of Bohemia.

Mr. W. Smith said, it was very extraordinary that if the French, as had been asserted, were so much exhausted as not to be able to continue the war, perhaps for a month longer, the Emperor should be so ignorant of all this as to deliver such a rescript to the Diet.

Mr. S. Thornton said a few words, and the Committee divided on the resolution,

<i>Ayes</i>	-	-	-	77
<i>Noes</i>	-	-	-	43

Majority 34

The Report was ordered to be received on Monday, and the House adjourned till that day.

HOUSE OF LORDS.

MONDAY, *June 1.*

The Militia Draft Bill was read a third time, and passed.

Affirmed the interlocutor in the Scots Appeal, Chalmers and Ross.

Adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, *June 1.*

Mr. D. Ryder gave notice, that the next day he should move for leave to bring in a Bill to grant certain privileges to

Woolcombers; great numbers of whom had been materially injured in their trades by the introduction of machines. He said, it had been usual where the introduction of machinery in any branch of manufacture which operated for the *general good*, bore particularly hard on individuals, to grant them such relief as the wisdom of Parliament might think proper. The nature and purport of his Bill would be to grant a similar privilege to Woolcombers, who had been thrown out of bread by the introduction of machines, as was given to soldiers and sailors when discharged from their respective services; *viz.* that of being entitled to set up and follow any trade or calling, in any city or town, where they have not served an apprenticeship, or are not free, without being obliged to remove therefrom until they become actually chargeable.

HAWKERS AND PEDLARS.

Mr. Long moved the Order of the Day for the third reading of the Bill for the regulation of Hawkers and Pedlars.— Bill read a third time.

Colonel Stanley moved a clause to be added to the Bill, to repeal three clauses in the Bill, which restricted hawkers and pedlars from trading in, or nearer to any market-town than the distance of two miles, except on market and fair days. This restriction, the Colonel said, was laid upon the hawkers and pedlars at the time the shop-tax originally took place, in order to equalize the situation of the two descriptions of dealers, and to prevent hawkers and pedlars having too great an advantage over the settled and regular shopkeepers, from the operation that tax would have upon them. The shop-tax having now ceased, he thought it was but justice that the restriction which took place on the hawkers and pedlars, in consequence of that tax, should cease also. The hawkers and pedlars were, he said, an industrious and valuable body of men, and deserved the encouragement of Parliament, as they contributed to a wide and extensive circulation of the manufactures of the country, and enabled people who lived at a distance from large towns and cities to accommodate themselves with goods they wanted, at a cheaper and more convenient rate than they could possibly do without their regular visits. He therefore submitted to the consideration of the House the necessity of adopting this clause, for the purpose of doing away the restriction complained of.

Mr. Long seconded the motion; when a short conversation took place, in which *Mr. Francis*, *Mr. Hawkins Brown*, *Mr.*

Thornton, Mr. M. A. Taylor, and others took part; after which a division ensued,

<i>For receiving the clause</i>	90
<i>Against it</i>	7
	—
<i>Majority</i>	83

Mr. Dent moved, that there should be laid on the table a copy of the minutes of the Committee appointed to inquire into the abuses of franking in the public offices.—Ordered.

Mr. Ryder gave notice that he should the next day move for leave to bring in a Bill granting certain relief to Woolcombers, &c.

MESSAGE FROM THE PRINCE OF WALES.

Mr. Anstruther (Solicitor General to his Royal Highness the Prince of Wales, as Duke of Cornwall) acquainted the House, that the Prince of Wales, while the question relative to his establishment was under the consideration of the House of Commons, had thought the proper conduct for him to observe was, to avoid expressing any opinion or wish upon the subject; fully sensible that the liberality and wisdom of Parliament would make such arrangements, as should be best suited to the situation of his affairs, the dignity of the Royal Family, and the interest of the Public. But having understood, that it was the desire of many respectable persons that his wishes and opinions upon the subject should be known, his Royal Highness had authorised him to assure the House, that he is extremely desirous that such regulations may be adopted, as to the wisdom of Parliament shall seem most expedient and advisable, for the purpose of establishing order and regularity in the expenditure of his income, and to prevent the incurring of debt in future. And at the same time, his Royal Highness had authorised him further to express his earnest desire, that the House will appropriate such part of the income which they may intend to allot to him, to the liquidation of the debts with which he is embarrassed, as, under all the present circumstances, shall seem to the wisdom and prudence of the House most expedient and advisable; fully sensible that however large that appropriation may be, the House will be guided solely by the consideration of what shall appear to them the most conducive to his honour, and the interest of the Public.

The Chancellor of the Exchequer said, that in consequence of the communication which had just been made to the House, he rose with sentiments of much less anxiety and much greater

fatig-

satisfaction than he had experienced in any former part of this transaction. In bringing forward this business, which he had reason to hope would have been in itself highly satisfactory, but which peculiar circumstances had rendered extremely painful, he had not however been without some degree of consolation. He had satisfaction in contemplating the principles which had given rise to the difficulties attendant on the transaction. He observed with pleasure, that a Parliament which had never failed in any expression of loyalty to their Sovereign, or attachment to his family, which had never been wanting in discovering a proper spirit of liberality, when the occasion called for it, had no less in the present instance shewn a degree of jealousy, care, and circumspection, when a demand was made upon the pockets of their constituents, attended with some circumstances which they could not altogether approve. He had no less satisfaction in observing that the Illustrious Personage himself was impressed with a just sense of that line of conduct, which regard to his character and situation required him to pursue, and he trusted that the House had that day received an earnest of the future dispositions of his Royal Highness, and of that regard to the welfare of the people, which would distinguish him in the exalted situation to which he one day might be called. Under that impression, he hoped that there would be little difference of opinion as to the proposition which he should submit to the House. The instruction which he meant to move went precisely to the two objects to which his Hon. and Learned Friend had referred in the communication from his Royal Highness—the regulation of the expenditure of his household, and the appropriation of part of the income for the discharge of debt. It was certainly satisfactory to the House to know that his Royal Highness was perfectly disposed to concur in whatever arrangements the wisdom of Parliament might adopt with respect to these two objects. He hoped, that by this communication every difficulty would be considerably lessened, though it might not perhaps be entirely removed, as some Members, however disposed to support the credit and dignity of the Prince by the grant of a proper establishment, had expressed their opinion that no notice ought to be taken of the debts at all.

The question, he would remark at present, was not, what part of the income should be appropriated to the payment of debt, nor did the instruction he had now to propose go so much as to narrow the amount even of the largest sum that had been suggested for that purpose. The only question was,

whether the aid of Parliament ought to be given to his Royal Highness by adopting legislative regulations for the discharge of debts, which it was admitted on all hands ought never to have been contracted? Without any retrospect to the past, over which he wished to draw a veil, he appealed to the fair and candid feelings of the House, whether they could refuse to adopt a measure so necessary for the character and credit of his Royal Highness, so intimately connected with his personal comfort and the splendour of his rank? Could they refuse to concur with his Royal Highness in appropriating a large part out of the income allotted him, in order to relieve him from the embarrassment of debts? The business appeared to him to rest upon so plain a proposition, and be in itself so self-evident, that, reserving all particular details for future discussion, he trusted that what he had now to propose would meet the almost unanimous concurrence of the House. The proposition only went to give instructions to those Gentlemen who were to be appointed to prepare the Bill, to make a certain appropriation, and to give them authority to frame a clause, the blanks of which could afterwards be filled by the House in Committee. To the end of those two objects he moved,

“ That it be an instruction to the Gentlemen who are appointed to prepare and bring in a Bill for enabling his Majesty to grant a yearly sum or sums of money, out of the consolidated fund, towards providing for the establishment of their Royal Highnesses the Prince and Princess of Wales; that they do make provision in the said Bill for establishing a regular and punctual order of payment in the Prince's future expenditure, and for guarding against his incurring debts in future; and also for appropriating a proportion of the Prince's annual income towards the gradual discharge of the incumbrances to which his Royal Highness is now subject.”

Mr. Duncombe stated, that he was one of those who had voted for the inferior sum. With whatever concern he might rise to obstruct any proceeding that professed as its object the ease and comfort of his Royal Highness, he considered the call of duty as paramount to all other considerations. It was the duty of the representatives of the British nation to speak, when the occasion warranted, with a proper boldness, to persons even in the most exalted station. Under this impression he must say, that Parliament could not, consistently with their duty to their constituents, or with that inviolable regard which they owed to truth and fidelity, after the solemn assurances they had received on a former occasion, consent a second time to pay the debts of the Prince of Wales. These assurances

assurances he could not tamely consent to give up; he considered them as engagements to the people of England, which he ought not to forfeit. He remarked, that at a period such as the present, there attached particular duties to a Prince, which regard to the welfare of the people indispensibly called upon him to fulfil.

“ At a time (said Mr. Duncombe) when the comforts and conveniencies of life are wanting to the middle classes of society, when the poor are scarcely supplied even with common necessaries, and when the prospect of a dearth becomes every day more alarming, I cannot listen to idle claims of splendour and magnificence; I trust that at such a time the benevolent feelings of his Royal Highness will dispose him rather to sympathize with the distress of the lower orders, and to sacrifice something for their relief, than to form selfish and extravagant pretensions. There is another consideration which deserves to be attended to. In these distempered times, when the wildest principles of democracy are abroad, founded on arguments drawn from new systems of false philosophy, let us beware how, by an unnecessary or wanton profusion of the public money, we furnish the favourers of wild and dangerous innovations with a colour and plausibility for their arguments. As a friend to the hereditary monarchy, as an adherent to the family on the throne, I feel myself called upon to resist the motion. Let us recollect that there are other branches of the Royal Family. If, after the assurance we received, we again consent to pay the debts of his Royal Highness, we shall establish a precedent, of which we cannot tell to what purpose it may be applied, or to what extent it may be carried. I do not mean to say that the debts ought not to be paid, but I look to other resources for that purpose; I look first to the justice of his Royal Highness, to make provision for the payment of those debts that shall be proved to be just; many of them I apprehend do not come under that description: I look to his future economy in the regulation of his household; and lastly I look to the assistance which he may derive from the well-known munificence of his Royal Father. As the idea of a temporary retirement has been suggested, I have only to remark, that from such a retirement his Royal Highness might reap great advantage in settling his affairs, and be again enabled to emerge with fresh splendour. Retirement, it has been remarked, is the nurse of reflection; by its influence his Royal Highness might be enabled to confirm those resolutions which he has expressed in his communication to the House, and to return again into public

public life fortified against future error, and qualified for the important duties of that high Station which he may one day be called upon to fill."

Mr. Curwen expressed his satisfaction at the message which had been received from his Royal Highness, and which he conceived would produce the most favourable impression in the country. He hoped that it would prove on the part of the Prince an earnest of his future attention to the happiness of the country, which was so essentially connected with his own interest. He remarked the cruelty that would be attached to the situation of his illustrious Consort, if, by a refusal of that House to make any provision for the debts, she was left exposed to the taunts and insults of creditors. He wished that his Royal Highness might be put in a situation to obtain respect, and to deserve it; he had therefore voted for the larger income with a view to the application of a considerable part of it to the discharge of the debts. He regretted that the House had as yet received no communication on the subject from his Majesty, whom both from his paternal relation to the Illustrious Personage, whose situation was the object of discussion, and from the still higher character in which he stood as father of the country, he had expected, would have come forward on the occasion, to promote the ease, the comfort, the splendour, and the happiness of his son. He had hoped that he would have done something, and something considerable, in the way of extricating the Prince from his difficulties. As the business now stood, even if the larger sum should be applied (sixty-five thousand pounds, and the revenues of the Duchy of Cornwall), it would require a period of ten years before the whole debt could be liquidated; during all this time the creditors of his Royal Highness must remain under a degree of constraint and embarrassment.

Mr. Grey said, that though he had undoubtedly a claim to the most candid interpretation of his motives, he was happy that in the part which his duty should compel him to take in the present discussion, he had been preceded by a respectable Gentleman (*Mr. Duncombe*) on the other side of the House. Every person must concur in the satisfaction which had been expressed at the message delivered by the authority of his Royal Highness. He was happy to receive it, not as a measure taken upon the spur of the occasion, but as the sincere expression of his feelings, with respect to the House; he wished indeed that the whole grace of the transaction had belonged to his Royal Highness; that it had not previously been suggested from any other quarter; that ministers had first come

to the House for a proper establishment, and when it had been granted, that the message had followed from the Prince, requiring the appropriation of part of his income for the discharge of the debt. At any rate he must consider ministers as responsible for the former message, which contained the assurance that no second application should be made. They ought undoubtedly to have taken some means to enforce that assurance, and they were now bound to explain to the House why such means had not been taken. He wished the motion was distinctly put according to the ultimate intention of it. The Right Hon. Chancellor of the Exchequer had said, that it went only to an appropriation of income, and not to a discharge of debts, as debts—but the House would see that it was impossible to debate it merely on that ground; for although it was stated that the income was allowed as necessary for the maintenance of the Prince's rank, considered abstractedly from his incumbrances, that was by no means the prevailing opinion of the majority; for many voted for the larger sum, expressly with a view that a part of it should be set aside for the payment of debts: That being the case, the present, he said, must be considered as an application for the payment of debts. He adverted to what Mr. Duncombe had said of the particular period, and asked whether at this time of calamity and distress, when the peasant was suffering from the want of bread, they ought to vote away the money of their constituents for the purpose of discharging debts which ought never to have been contracted? After what had passed, no reliance could be had that those provisions, which might be made with respect to future conduct, would be of any avail. The only way which the House had of discharging their duty, was to meet the present application with a direct refusal. His Hon. Friend had stated that by this refusal her Royal Highness would be exposed to taunts and insults. He hoped that even with the smaller income and proper economy, there would be found sufficient means to make provision for the discharge of the debts, more especially as in such a situation the Prince would be able to come to a composition with his creditors upon much better terms than if the idea was to be held out, that the business was to be taken up by that House. We know, said Mr. Grey, that there are great means in the possession of an Illustrious Personage, and it is hoped that he will be induced to come forward with his assistance, both from regard to the credit of his family, and in order to maintain the respect due to royalty, which, as an Hon. Gentleman well observed, "can only best be preserved by rendering it as little as possible oppressive

pressive to the people." These were the considerations which had irresistibly compelled him to the discharge of a duty, the most painful he had ever experienced since he had the honour of a seat in that House.

Mr. Secretary Dundas said, that he would not trouble the House farther than to direct their attention to a particular point which had been discussed, and to a topic which had been introduced in a new and extraordinary manner into debate. It had already, he said, been finally decided, that a certain establishment should be allowed to the Prince; and his Right Hon. Friend had brought it forward, in the way which was least calculated to create confusion. He had first stated the question of the income, and then called the attention of the House to the regulation of the expenditure, and the provision for the debt. The House had already decided for an income of one hundred and twenty-five thousand pounds. The motion then was not an application for a sum of money for the discharge of the debts; the only question was, whether the whole income should be left to the unlimited disposal of the Prince, or whether the expenditure should be put under regulations, and an appropriation made with a view to the gradual extinction of the debt. No new sum was demanded; it was only wished to ascertain in what manner that which had been already given should be regulated and applied—a point in which all, however they might originally have differed as to the proper quantum of the income, might be expected to coincide. It was surely impossible for the House to refuse to comply with the request of the Prince of Wales to apply his income in such a manner by legislative regulations as would be most conducive to the dignity of his station, his personal comfort, and the security of his creditors. If they declined their interference, it would be impossible for him to take any steps for the effectual liquidation of his debts; he would then be left exposed to the demands of his creditors, without any other security to offer them than his life-interest in an annual income. He was surprised at one resource, which had been pointed out by some Hon. Gentlemen, in the affection and benevolence of his Royal Father. (*A cry of Hear! Hear!*) That cry, he was confident, could proceed only from a few voices, and by no means discovered the general feeling of the House on the subject. They had repeatedly had occasion to examine the situation of his Majesty with respect to the civil list, particularly on occasion of granting establishments to the Duke of Clarence, and the Duke of York on his marriage. They might recollect that on the arrangement formerly made with respect

respect to the debts of his Royal Highness, part of that provision arose out of the liberality of his Majesty. The civil list was indeed large, but was wholly appropriated to particular services, except the sum allotted for his Majesty's privy purse. The idea of such a resource arose out of miserable feelings, which he was surprised that any Gentleman could entertain. He knew not (and his means of information were as good as those of any other Member) of the existence of any such sum as that which had been referred to. Besides, he would ask, with that numerous family with which his Majesty was blessed, were there no other objects who claimed his Royal munificence and attention? The Prince of Wales was the last who might be supposed to have such a claim; he, from the situation in which he stood, was the peculiar care of the Public. Allusion might be made to the revenues which his Majesty derived from the Electorate of Hanover. But had his Majesty no state to support in that quarter? Was he to rob his Hanoverian subjects in order to pay debts contracted in this country by the Heir Apparent to the British Crown? The appeal which had been made on this subject, he could consider as neither fair nor candid, and, as such, he should dismiss it without further observation; declaring on his honour, and calling any one who thought he knew the King's affairs better than him, to contradict it if he could, that his Majesty was not in a condition to discharge his Royal Highness's debts, and that therefore that resource was out of the question, and should be no more thought of or mentioned.

Mr. Montague thought it highly fit that Parliament should regard itself as a tutor to his Royal Highness the Prince, because, speaking politically, he conceived his Royal Highness the son of the people, and therefore he thought it proper that his affairs should be under the superintendence of Parliament. He had no doubt that it was his Royal Highness's disposition to do justice; but it was possible, if the whole income were to be under his own controul, for him to have bad advisers, and he might postpone the liquidation of his debts, and contract new ones; and on that account also it was proper that Parliament should interfere in the management of his affairs. Under all the consideration he was able to give to this important subject, he thought himself bound to support this motion.

Mr. Perceys thought there could be but one feeling in the House, on the substance of the communication from his Royal Highness: It had certainly put the matter in a more agreeable light than any in which he had before been able to view it; and he now considered the intended limitations as no longer exacted by the rigour of Parliament, but as an act of the House

going hand in hand with the Prince of Wales. That this communication would conciliate the affection of the House, and of the Public, he had no doubt; but that circumstance neither would nor ought to alter the principle upon which Gentlemen agreed to give aid to his Royal Highness. His objects in this business were two, and distinct points, one the establishment, the other the provision for the debt. In his vote upon the first, he thought it his duty to concur in making a provision liberal and ample, but that, in the application of it, he was persuaded there should be no relaxation whatever from the rules of strict economy. With regard to the second point, namely, making provision for the debt, he would ask, did the House, or did they not, by adopting this motion, impose additional burdens on the Public? It had been stated, that this was to impose upon the Public the payment of the debts of the Prince of Wales. He considered it as no such thing. This instruction was only to enable the House hereafter to proceed upon a certain plan. He then desired the House to view that plan, and to compare it with the principle on which they had proceeded already, and if they found it different from that principle, then to reject it, but not otherwise; for his Majesty's message asked for a legislative provision to enable the Prince of Wales to remove his embarrassments, and the House had proceeded on that subject already. He did not doubt but that the disposition of his Royal Highness would lead him to discharge his debts, but that was out of his power, and therefore a legislative provision became necessary. It was their interest to support the splendour of his Royal Highness. To be supported with dignity was not the right only of the Prince, it was also the right of the nation; they were therefore interested in supporting the dignity of his Royal Highness; but they had still a more essential interest in the character and conduct of the Prince of Wales; and that consideration made him think it necessary that such a measure as that under deliberation should be adopted, and he had no doubt that under the regulations which Parliament should make, the people would cheerfully support the establishment of his Royal Highness; for the loyalty of the people of this country was not that of mere servility and submission, but was founded on affection and regard; and he hoped that they were from that day to look forward to that happy, that august and auspicious hour, when all the branches of the Royal Family would be completely united and be happy. Having said this, he must next observe, that he hoped there would be a severe scrutiny and investigation into the amount and the nature of the claims, so that neither his Royal Highness nor the nation should be imposed

posed upon with extravagant or ill-founded demands. He approved entirely of the motion before the House.

Mr. Fox declared it to be his wish to separate the different parts of this subject, and to keep them as distinctly from each other as possible. The House was in rather an advanced stage of this proceeding; and he could not help congratulating the House and the Public, that his Royal Highness, by his communication to the House, had acted in a manner that did him honour; he trusted he would finish a plan which he had so worthily begun. With regard to the motion before the House, he confessed he did not know upon what principle opposition was made to it. He did not understand the motion to be that of calling on the Public to pay the debt in any degree. It was only simply the setting apart some of the income of his Royal Highness for the purpose of discharging his debt. He wished however, the House, and the Public, not to be deceived upon this business; for although there was not a shilling to be voted in that stage of the business out of the pockets of the Public, yet it was clear that a request would come to call on the Public for security against the contingent event of the demise of his Royal Highness. That was a thing not to be dissimbled.

With regard to what was before the House, he should vote for it, even if he had thought that the smaller sum proposed as the income of the Prince, had been better, under all the circumstances, than the larger, because it was nothing more than to enable his Royal Highness to set apart some of his income to the discharge of his incumbrances. It might be said, that the Prince could do this himself; he certainly could not; effectually, nor could the Prince, without the aid of Parliament, at all adopt a plan that would satisfy his creditors. In this stage of the business, therefore, *Mr. Fox* said, he must have voted for this motion, even without any idea of inquiring whether any contingent burdens would be laid on the Public, because that question was not to be governed by this at present; when that came it would be time enough to discuss it, and here the business might on his part properly end; but it had been often thought, if not strictly regular, rather convenient, sometimes to make some general observations on the topics which might be expected to be brought forward hereafter upon the matter. He had not seen any reason for altering the opinion which he gave upon this subject on a former occasion. The circumstance of his Royal Highness's happy marriage, which they all knew took place by the approbation of Parliament long after it was well known that his Royal Highness was deeply involved in debt, and in the last discussion of that subject

the debt of his Royal Highness certainly made part of the deliberation of the House. He owned there was a point on which he could not help touching, as being extremely applicable to this case. He thought he might look for some resources upon this occasion from his Majesty. It might be said, he should give any thing very considerable; this was a point into which he could not enter until his Majesty had notified his royal disposition to give something. He most egregiously mistook the dispositions of the Public, if something of this nature would not be very well received by them. He did not say that the whole six hundred thousand pounds should be paid by his Majesty; but he would say, because he felt, that it was a little unseemly, that at a time of such general calamity, his Majesty should be the only person in the kingdom who did not contribute a single farthing towards the discharge of the incumbrances of the Prince of Wales. This, he could not help repeating, was unseemly. He hoped his Majesty would be better advised upon this subject. A glorious opportunity offered itself for the display of royal munificence, and handsome conduct upon such an occasion as this would do more even for the constitution than the most vigorous exertion of the arm of power. It was with this view that he had contended, and sorry he was that he had contended unsuccessfully, against the additional one hundred thousand pounds a year to the income of his Majesty himself during the continuance of the American war, because, when all the subjects of his Majesty felt so much during that war, he thought that his Majesty would do well to shew them a lesson of frugality and economy. If this principle was correct, and the application of it just at that time, how much more so was it at present, when the question is, "How much are the burdens to be laid upon the Public to relieve the Prince of Wales from debt?"—He would say again, it was unfortunate that some person had not advised his Majesty to lead the way upon this occasion, and to shew the Public an example of liberality, and convince them that he felt himself the necessity there was of indulging a generous temper. When this subject should come to be discussed, happy should he be if the House, by a gracious communication, should be given to understand that the Illustrious Personage to whom he alluded, intended to take some share of the contingent burden which might be felt from this. He trusted also that the whole of the additional income of his Royal Highness, together with the Duchy of Cornwall, would be appropriated solely to the liquidation of the debts. According to the calculation of an Hon. Gentleman (Mr. Curwen), it would take ten years even then to discharge them. But he

still

still adhered to his original idea of making a very different disposition of the Dutchy of Cornwall from what had been proposed by the minister. According to his idea of the thing, the Public would have a considerable advantage by the sale of the Dutchy of Cornwall, in a pecuniary sense, as likewise from the diminution of the patronage of the Crown, already much too extensive; and it would also place many Gentlemen, now interested there, in a situation less dependent than they were at present. And further, it would relieve his Royal Highness himself from that dependence on the Crown, and whoever should be the minister of the day, a thing in itself extremely desirable as well for the Heir Apparent of the Throne as for the interests of the Public; for a Prince ought to be an opulent and independent nobleman, before he should become a wise, virtuous, and illustrious monarch; and in proportion to the elevation of his rank, must a state of dependence be painful to his feelings, and dangerous to the Public. He now came to the point in which the House was more immediately concerned, the guarantee of the debt. It was true the House was not to pay one shilling, and it had both the revenue and the means of payment in its own hands; but there were some contingencies notwithstanding. The lives of Princes are as precarious as the lives of other men; and if the life of the Prince should not last so long as the time of limitation for the payment of the debts, there would certainly be a contingent risk. This risk is more or less then, as the period of limitation for the payment of the debts is shortened or extended. By the sale of the Dutchy, therefore, the period for the payment would be shorter, and the risk be consequently less. The risk also to the Illustrious Personage alluded to would not then be the same as now.

He concluded by supposing that the House, in voting for the present motion, would do no more than for private persons and families, when a guarantee is made in the same way. That is, he conceived every Member who voted for the instruction would be as much at liberty as ever to vote hereafter upon the guarantee, exclusively considered, as he thought proper.

Mr. Anstruther, in explanation, took notice of the two parts of the present proposition before the House; one being a provision against the contracting of debts in future, the other for the payment of those already contracted. The sum had been already voted, and therefore no Gentleman, by agreeing to the motion before the House, would add to the burden of his constituents a single shilling. There must be some degree of contingent risk to the Public, but as it was only in the event of the demise, both of his Majesty and of his Royal Highness, before

before the period of the final adjustment of the debt, the contingent risk was reduced to a degree of minuteness that was hardly worth consideration. With respect to the Duchy of Cornwall, he did not pretend to say, that Parliament had not the power to order it to be sold; they certainly had that power, for they had the power of making what regulations they thought fit, with regard to the maintenance of the Royal Family; but he must beg leave to observe, that the Duchy of Cornwall was not the absolute property of the Prince of Wales; for if the Prince of Wales were to die to-day, the Duchy of Cornwall would vest in his Royal Highness the Duke of York to-morrow, and the House would have as good a right to order the estate of any individual to be sold as this estate. (*A cry of No, No! from various parts of the House.*) Mr. Anstruther persisted in his declaration, and observed, that thus the next in succession would be deprived of his right by the sale of the estate. There had also been a good deal of misapprehension as to the value of this estate; two-thirds of it were not rent out of land, but a duty on tin in the county of Cornwall, and the other part consisted of a dry unimprovable rent; and therefore those who talked about what the Duchy of Cornwall would produce, talked without real knowledge of the matter. Every account he had heard or seen upon this subject was very much exaggerated, and therefore he thought it necessary to explain this. With respect to his Majesty contributing, he wished to say nothing; Gentlemen spoke upon that subject as if they had a great deal of knowledge of it; all he could say was, that he did not know that his Majesty had the means—in short, he knew nothing of the matter. He, as a Member of Parliament, wished to consider what was fit for Parliament to do, and not to call upon his Majesty to exercise his bounty. He was sure that his Royal Highness, by his condescension, would endear himself in the affection of the Public: And he desired to follow the example of the Prince, in his endeavours to conciliate the public opinion and affection.

Mr. Baskard opposed the principle of Parliament interfering at all with the debts of the Prince. He thought the precedent would be a dangerous one; and he thought also that Parliament were not empowered to do this by our constitution. He said, no man could feel more anxious than he did to alleviate the situation of the Prince, and to put him in possession of all the splendour due to his rank; but the question was, whether, under all the circumstances, he could do that consistently with his duty to his constituents.

Gentlemen, in speaking of the liquidation of the Prince's debts, seemed to think that Parliament was bound in duty to

pay them. That it might be a proper question for Parliament to take into consideration, he would not deny; but that they were called upon, either by their duty to their constituents or to the King, absolutely, to provide a fund for the payment of those debts, was a proposition to which he would never give his assent. It had been said, that the sum to be annually allowed to the Prince had been already voted, and that this motion did not tend to lay any other burden upon the people; but he considered this as a delusion arising from the complicated state of the question; and he was apprehensive that the House might be led on to measures, the probable consequences of which they did not foresee. The two questions, of the income to be allowed to the Prince, and the discharging of the debts, had, in his opinion, very improperly been mixed; the consequence of which was, that many Gentlemen voted on the same side of the question, though with totally opposite views: For instance, some of the Gentlemen who voted for allowing the Prince the larger sum, did it upon the principle that one hundred and twenty-five thousand pounds was not too much to support the proper dignity of his Royal Highness's situation; while other Gentlemen, who also concurred in voting for the larger sum, thought sixty thousand pounds a year a sufficient income for him, and wished that the remainder should go to the discharge of his debts. In order to avoid this confusion, the proper way would have been to have brought the subject of the debts distinctly before Parliament; and having once come to a clear decision upon that point, there would have been no difficulty about the rest. He did not at all approve of this mode of fettering the Prince; he thought it would even have been better to leave it to the Prince, to apportion what part of his income he pleased to the payment of his debts; he should therefore give his vote against the motion.

Mr. Whitbread said, he should also vote against the motion. He did not agree with those Gentlemen who contended that this motion would not, if agreed to, tend to increase the burdens of the people; on the contrary, it seemed to him to tend to that object, because, by that House taking upon itself to make these regulations for the liquidation of those debts, they were taking the first step towards pledging themselves for the payment of them contingently; because, if this measure were adopted, there could be no doubt but that the House must guarantee the payment. But there was another way, in which the Public would be burdened, in order to discharge those debts. Many of the Gentlemen who voted for allowing the Prince the larger sum, did it upon the principle that a portion

tion of it was to go to the payment of the debts; whereas, if they had not existed, a much smaller sum might have been voted. It was an imposition therefore upon the House, and upon the people, to say that the Public was not to a certain degree burdened for the payment of the debts. In his opinion, the proper way would have been for ministers to have applied to Parliament for a fit income to be given to the Prince, without taking any notice whatever of the debts, but to have let his Highness act himself upon that subject. Something had been said about the Crown assisting in the discharge of the debts; he did not hesitate to say distinctly, that the Crown was bound to come forward upon this occasion, because, during the minority of his Royal Highness, the whole of the income of the Duchy of Cornwall was received by his Majesty. It had also been said, that it could not be expected that his Majesty should pay the debts of the Prince of Wales out of his savings from the revenue of Hanover. He was of a contrary opinion; and thought that the people of Hanover were as much interested in the fate of the heir to the Electorate, as the people of England were in that of the heir to the Crown. Gentlemen had said, that it was necessary for his Royal Highness to keep up a considerable degree of splendour; this was a proposition which he should totally deny—the people, under the present circumstances, did not look for splendour, and he believed they would be better pleased to see it suspended for a time.

Mr. Hawkins Browne considered the question as already decided by an almost unanimous voice. He lamented the necessity there was for an application to Parliament; but the duty which was owed to the constitution was a paramount consideration. The assistance should be granted not only for his Royal Highness's sake, but for the general good, which was involved in the character and situation of a Prince of Wales, as Heir Apparent to the Crown; and he hoped and was of opinion, that from the judicious arrangement which was now about to be made in the appropriation of that part of the establishment which was proposed for his Royal Highness, no future occasion would arise of a similar application to Parliament.

Mr. Lambton thought that the question was, whether the House would or would not take any notice of the debts of his Royal Highness the Prince of Wales? and upon that point he confessed, that although his Royal Highness had been indiscreet in contracting them, they ought to be taken into consideration by Parliament. He really thought that the tranquillity of this country required that we should make the present sacrifice.

The

The House were soon to be called upon to give their guarantee to the Austrian loan; and the principle upon which this was to be done, was to enable the Emperor to repel the wild and democratic doctrines of the French. He thought that the same principles which would induce the House to adopt that measure, should incline them to relieve his Royal Highness, and to place him in a state worthy of a Prince. There appeared to him something contradictory in the liberality of the House; for at one moment they voted fifty thousand pounds per annum to the Princess, in case she survived the Prince, and yet, during the life of his Royal Highness, they would expose her to all the difficulties which must necessarily attend his Royal Highness if the debts were not liquidated.

Mr. Buxton said, the sum of one hundred and twenty-five thousand pounds a year was voted to maintain the necessary splendour of the Prince for the benefit of the Public, and not for the payment of his debts. He wished the several points had been brought forward in such a manner as to afford the House an opportunity of voting upon each of them separately.

Lord William Russell spoke in favour of the motion; but added, that, if the House resisted it, and came to decide upon the question—Whether the larger or the smaller sum was to be granted? he would certainly vote for the smaller. He had, upon a former night, voted for the smaller sum, upon the conviction that his duty to his constituents required it. He could not avoid expressing his sincere hope that those who advised his Majesty, would suggest to him the propriety of coming forward upon this occasion, and participate in the burdens of the people. With respect to another plan which had been suggested for the payment of the debts, by an Hon. Gentleman (*Mr. Hufsey*), by the sale of the Crown lands, he hoped that Gentleman would persist in his plan, and for one it should have his hearty support.

Mr. Bouverie said, that, as the House had once already paid the debts of his Royal Highness, and that under the pledge that no such embarrassment should again happen, they could not, consistently, vote away the public money for such a purpose. Another thing that he wished the House to advert to was, that a Right Hon. Gentleman on the bench below him had on a former night said, that, if the debts were to be paid, some preventive measure should be adopted against the possibility of any such debts being incurred in time to come: This he thought absolutely necessary, and that it ought to extend to all the Royal Family.

Mr. Fox said, that he certainly wished some scheme to be adopted, to prevent similar embarrassments in future; and that it should apply to all Princes of Wales: But that was not immediately connected with the motion then before the House.

Mr. Bouverie said; he must move an amendment to the instruction, by inserting, after the word *his*, in that part of the message which provides "against *his* incurring any debts," the words "or any other branch of the Royal Family."

The Chancellor of the Exchequer said, he must oppose the amendment; because it was the wish of every person in the House that the motion should be as much simplified as possible, which would not be the case if that amendment took place. He confessed, that he had no objection to what had been suggested by the Right Hon. Gentleman over against him—that all Princes of Wales in future ought to be prevented from getting into similar situations: The other branches of the Royal Family were by no means in similar situations; and he thought the Hon. Gentleman would, upon reconsideration, agree to withdraw his motion.

Mr. Bouverie, with leave of the House, withdrew his amendment.

Mr. W. Smith spoke against the motion, because the House, and the Public, had a right to know the amount and the nature of the debts before they were called upon to pay them. He was the more convinced that there was a necessity for some inquiry of this sort, because, without going into the business of probable extortion, by blood-suckers, leeches, and other such terms which had been used, it was clear, that the more those debts could be reduced with justice, the more easily they would be paid off.

Mr. Francis said, that as this question was likely to go to a division, and as the attention of the Public was attracted, not only to the general resolutions of the House in this business, but to the particular conduct of individuals, he was very desirous that the principles on which he had already voted, and those on which he meant to vote that night, should be exactly understood. An explanation was the more necessary, because, by the form of proceeding which had been observed, the vote given did not express or convey the real meaning and full intention of the person who gave it. On the face of the vote itself it did not appear whether, for example, a person who voted for the higher establishment, meant that every part of it should or should not be applied to the discharge of debt, or whether he who voted for the lower sum, did or did not mean to exclude himself from all the consideration of the debts and incumbrances. That, as it did not depend on him

to alter the mode of proceeding, he was forced to vote simply, *yes* or *no*, to the motions as they came before him. When the question was put to him on a former occasion, what establishment he would vote for upon a general view of the provision fit for the Heir Apparent, combined with the situation of the country, and abstractedly from any consideration whatsoever of his Royal Highness's debts and incumbrances; for that was precisely the state in which the question came before him; the answer he gave it by his vote was, that one hundred thousand pounds was sufficient. But he did not mean by that vote to preclude all consideration whatever of the debts. He knew that it was a case of necessity, which sooner or later would force itself on the attention of Parliament, and with greater disadvantage the longer it was put off.

The House had determined in favour of the higher establishment, and he must take it for granted that the House would adhere to that resolution. The question, therefore, before him at present was, whether he would or would not concur with a proposition made by his Royal Highness himself, to apply a considerable portion of the sum they have already voted, and which, whether so applied or not, would be equally a burden on the people, to the discharge of his debts, or whether that whole income should be left without any obligation upon it, and finally, perhaps, to be spent without having contributed materially to that very service, on account of which, in the minds of many Gentlemen, the higher establishment had been consented to. This being strictly the state of the question then to be determined, he did not see how he could conscientiously, or with justice to the Public, refuse his assent to the proposition as it stood.

Sir John Call argued for an immediate discharge of the debt. The best and least burdensome way of providing for it, he took to be, the sale of the Dutchy of Cornwall, which from calculations he had made, he conceived would in every respect be advantageous to the Public, and relieve the Prince from his embarrassments.

Mr. Wilberforce thought that some inquiry ought to be made, as to the manner in which the debts had been contracted, because it might be productive of some advantage. He had voted for the smaller sum on a former night, and though he had every wish to allow a proper and splendid establishment to the Prince, he must consider the present urgent necessity for economy.

Mr. Maurice Robinson spoke against the motion.

The Master of the Rolls (Sir R. P. Arden) observed, that to those who had differed on the allowance of 100,000*l.* and 125,000*l.* to the Prince, it was still competent to revise their opinion.

Mr. Burdon thought on the contrary, that the House was pledged to the vote which it had given on the former occasion. He nevertheless thought it his duty to oppose any additional burden being laid upon the country, and would throughout oppose the scheme of paying those debts.

Mr. Sturt said he recollected to have been in the House during the last Parliament, when in 1787 his Majesty's minister had brought down a message from the King, recommending the payment of the Prince of Wales's debts, but upon the express condition that no future application of the same nature should be made; and the minister had gone the length of assuring the House, that he, individually, would refuse to bring down any message of the kind again; he was therefore surprised at the present proceeding, and must insist that no Member who was in the House at that time, could consistently, or with any propriety, agree to pay the Prince's debts a second time; and if they did, he saw no security but that they might be called upon again.

Sir William Dolben agreed to vote for the instruction moved, because formerly the House had only the assurance of the minister upon the subject, but the message of that day expressed, that his Royal Highness himself was desirous to avoid future embarrassment, and upon this assurance he had great reliance. With regard to Hanover, he doubted whether his Majesty received from that Electorate any thing after defraying its expenditure; and as to the Duchy of Cornwall, if the Prince of Wales, from the time he was born, became entitled to the revenues of it, and that they had not been accounted for, it might be matter of inquiry; but he saw no reason that the country had to look to his Majesty for the payment of any part of these debts.

Mr. Bankes said, he conceived the voting of any sum for the establishment of the Prince, to be totally distinct from voting money to pay his debts, which he thought the House ought not to be called upon to do, after the message that had been recorded on their journals in 1787. With regard to what had been said respecting the marriage, he did not conceive that the House was at all implicated, or in any degree a party to it; the debts were notorious before that event took place, and it might have been concluded without their knowing any thing of the matter. The payment of debts must
always

always be unpleasant to that House. He did not approve of measures that went only to check such things, and thought that the only way to prevent them in future was, by not paying the debts incurred in the present case.

Mr. Sumner said, it was difficult to speak on an affair of such a delicate nature, that the accounts which were the subject of the present discussion, that the *items* could not be laid on the table. In his opinion the creditors should be left to their fate. They must have known that the revenues of the Duchy of Cornwall, and the furniture of Carlton House, were all they had to rely on for their indemnification. If they went beyond the amount of those, they were aware of the risk, and should abide the consequences. The question before the House was simply, Whether they should entertain any discussion respecting the debts of the Prince of Wales? His opinion went most strongly to negative any such proposition. He found, from the general tenor of the arguments of different Gentlemen on that night, that a doubt seemed to arise as to the principle on which the larger sum was voted, whether it was with the intent that a certain portion should be applied for the liquidation of the debts of his Royal Highness, or whether it was intended that the whole of that sum should go entirely to his establishment. He would propose an amendment to the motion of the Right Hon. the Chancellor of the Exchequer, which might tend more fully to explain the intentions of those Gentlemen who voted for the larger sum.

The amendment was to the following effect: "That so much of the original motion as related to the liquidation of the debts of his Royal Highness, from his annual establishment of 125,000*l.* should be omitted."

Mr. Grey seconded the amendment, because he thought it tended to simplify the motion; he thought those who, like himself, were willing to give the Prince a proper and suitable allowance, but at the same time were of opinion that the House had nothing to do with his debts, had not been fairly dealt with. Upon a former occasion many had voted for the larger sum, because they thought it necessary to the splendour of his establishment, who would not have voted for it if they had thought any part of it was to be appropriated to the payment of his debts. However, the House was not pledged by any thing that had been done, and might alter it if they should think proper; it was not one of those cases where money had been advanced in consequence of a resolution of the House, which ought always to be confirmed. He declared himself to be entirely against the payment of the debts in any way, as a question that ought not to be entertained in the House. He

considered

considered it as a question of raising money from the subjects, and entirely different from making a provision for the Prince of Wales. He was against pledging the House or the Public in any way whatever, that might eventually or contingently lead to fixing a burden upon them to pay those debts, with which he thought they had nothing to do; and the amendment moved was the best way to avoid giving any such pledge.

The Chancellor of the Exchequer defended himself from any intention of wishing to treat the Hon. Gentleman or the House unfairly; on the contrary, he thought that the manner in which he had worded the instruction, by giving room for the proposed amendment, was the fairest public way of discussing the subject. He agreed, that undoubtedly during the progress of any measure in that House, they might alter any former resolution come to upon it; but until that was done, the last resolution was always considered to be the sense of the House. He had stated before that on the event of his Royal Highness's death, some other fund was to be made chargeable for the remainder of the debts. He would vote against the amendment proposed.

Mr. Fox contended, that by the instruction proposed, they were not voting money for the Prince's debts, nor pledging the House to pay them. That was to be a future consideration, and one upon which he thought an arrangement might easily be made when he knew the resources which the Prince possessed, and the assistance which he might derive from the munificence of his father. The House, by agreeing to the instruction moved, were not pledged for one farthing of the debts; and as to the mode of bringing the subject forward, every one must allow, that where so many questions were involved, there was a difficulty in determining which should be first discussed. He lamented the necessity for setting apart any precise quantum of the Prince's income for the payment of his debts; because that ought to be determined by him; but the difficulty which he felt on that point was obviated by the message which the House had just received, and the substance of which, he trusted, would be still more distinctly avowed in some future communication. Upon this point some new instruction might be necessary, and he trusted that due notice would be given when it was to be brought forward.

The Chancellor of the Exchequer agreed in what had been said by the Right Hon. Gentleman.

Mr. Martin rose, in consequence of an observation that had fallen from the Secretary of State early in the debate. That Right Hon. Gentleman had said, that if the present motion

motion was not agreed to, there would be much public disapprobation; this, he had every reason to believe, was not the case, and though he felt every respect for the Royal Family, as far as they were connected with the constitution of the country, he did not think that applications like the present were likely to favour them in the opinion of that House or the country.

Mr. Sheridan said, it certainly was not his intention in that stage of the business to enter into any long discussion; when the proper time came he would speak out plainly, without courting popularity on one side, or fearing displeasure on the other. That the House, by agreeing to the motion before them, were in no degree pledging themselves for the payment of the Prince's debts, he differed from his Right Hon. Friend. But he differed still more from the Right Hon. Gentleman opposite. The only question that ought to be before them, was simply, whether the debts were to be paid or not? By the mode in which it had been brought forward, this direct question might be evaded. The reasoning of his Right Hon. Friend with regard to an annual income to be allowed to the Prince might be true, but it could not be so with the King's minister; for if he required 125,000*l.* as an adequate income for the Prince, certainly he could not mean to pay his debts out of it; and if, on the other hand, a part was to be paid out of that sum, the House was pledged to pay those debts under the evasion of making a suitable provision for his Royal Highness. He would rather have preferred addressing the King upon the subject than the mode that had been followed. As to the language that had been used, reprobating this application to Parliament as a breach of promise, and other observations of that sort, he would not at that time give any opinion. The Public certainly never would believe that the King's minister proposed an annual income of 125,000*l.* for the Prince, without any reference to the debts, and they ought not to be trifled and quibbled with, by being told at the same time that they were not pledged to pay them; they ought not to be deluded, humbugged, and deceived in that way, but fairly and at once let to know whether they were to pay the debts or not. That night it was not his intention to vote either way—this seemed to surprise some Gentlemen opposite, but to those who generally made up their minds upon all questions before they came into the House, it was to be expected they must be astonished that he had not made up his after he was in it. He was against giving any instructions to the Committee, relative to the payment of the debts, yet he would give it as his positive opinion, that they ought to be paid immediately, for the dignity

dignity of the country, and the situation of the Prince. He ought not to be seen rolling about the streets in his state-coach as an insolvent prodigal: But, while he ought to be relieved from his embarrassments, the Public should not be burdened with the pressure of a hair, in affording him that relief. By coming at all to that House to pay his debts, the Prince had been ill advised; and he sincerely believed the King had not an honest minister about him, or else they never would have heard of such an application to Parliament.

The debts might and ought to be paid. If it was meant to keep monarchy respectable in the eyes of this country, and of the world, a different conduct should have been pursued. The sum of two or three hundred thousand pounds he reckoned trifling, when compared to the unbecoming situation of an Heir Apparent to the Crown, without independence, and, what was worse, without character. In the course of those discussions, Gentlemen had applied bold and strong language to that illustrious Prince; but there were other high and illustrious characters, who, in future discussions, must be told as plainly what the Public have a right to expect from them, and what their conduct ought to have been upon the present occasion, however ungracious the task might be.

The Chancellor of the Exchequer said, he could not in point of order reply to the Hon. Gentleman's speech, nor did he mean it. This certainly was a question in which the Hon. Gentleman felt himself very much interested, though he had told the House he did not intend to vote upon it either way, because he had not made up his mind. He must take the liberty to say that if the Hon. Gentleman had given his attendance to the former discussions on the subject, as he ought to have done, in his place, or even had he been earlier in his attendance that night, he would have heard enough to make up his mind upon.

Mr. Sheridan said, it was unnecessary for him to state to the House the reasons * which prevented his attendance, and were he to state them, they most probably would be *unintelligible* to that Right Hon. Gentleman. His reason for giving no vote was, because he did not approve of the motion before the House; it was a measure confused and indirect. When the positive question, "Whether the debts ought to be paid or not?" was before the House, he would have no hesitation in deciding.

* Mr. Sheridan had married within a week or two, and had been absent from the House on that account.

The House divided on the amendment:

<i>Ayes</i>	-	-	-	52
<i>Noes</i>	-	-	-	266

Majority 214

The House then divided on the original motion:

<i>Ayes</i>	-	-	-	242
<i>Noes</i>	-	-	-	46

Majority 196

The Report of the Committee on the Emperor's loan, and the other orders of the day, were postponed till Wednesday.

Adjourned at eleven o'clock.

List of the Minority on Mr. Sumner's Amendment.

Langston, John	Bridgewater	Coke, D. P.	Nottingham
East, Edw. Hyde	Great Bedwin	Halhed, N. B.	Lymington
Gregor, Francis	Cornwall	Pierrepont, C.	Nottinghamshire
Shuckburgh, Sir George	Warwickshire	Mainwaring, W.	Middlesex
Baker, W.	Hertfordshire	Popham, A.	Taunton
Sturt, Charles	Bridport	Stanley, J. T.	Wootton Bassett
Dent, J.	Lancaster	Robinson, M.	Boroughbridge
Clayton, Sir R.	Blechingley	Buller, John	Exeter
Whitbread, Sam. jun.	Bedford	Glanville, F.	Malmesbury
Burdon, R.	Durham Co.	Lemon, Sir W.	Cornwall
Martin, James	Tewksbury	Littleton, Sir E.	Staffordshire
Bastard, J. P.	Devonshire	Wigley, E.	Worcester
Byng, George	Middlesex	Rushleigh, P.	Fowey
Huffey, W.	New Sarum	Pierse, Henry	Northallerton
Smith, W.	Camelford	Trevelyan, Sir J.	Somersetshire
Blackburne, J.	Lancashire	Folkes, Sir M. B.	King's Lynn
Milnes, R. S.	York	Philips, J. G.	Caermarthen
Dundas, C.	Berkshire	Church, J. B.	Wendover
Wharton, J.	Beverley	Sheridan, R. B.	Stafford
Maitland, Hon. Thomas	Jedburgh, &c.	Duncombe, C.	Shaftesbury
Buxton, R. J.	Thetford	Stanley, T.	Lancashire
Plumer, W.	Hertfordshire	Fletcher, Sir H.	Cumberland
Portman, H. B.	Wells	Macleod, Gen. N.	Inverness Co.
Duncombe, H.	York Co.	Kempe, T.	Lewes
Barclay, G.	Bridport	Wynne, R. W.	Denbighshire
		Western, C. C.	Malden
		Bouverie, Hon. B.	Downton

TELLERS.

Sumner, George
Grey, Charles

Guildford
Northumberland

HOUSE OF LORDS.

TUESDAY, June 2.

In a Committee of Privileges, heard evidence further in the claim of Stapleton to the Barony of Beaumont.

The Royal assent was given by commission to several public and private Bills.

Lord Hay (Earl of Kinnoul), on account of the absence of a Noble and Learned Lord (*Thurlow*), withdrew his notice of a motion relative to a standing order of the House, and gave a new notice for a future day.

Heard counsel on an Inclosure Bill.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, June 2.

Mr. Rose moved for leave to bring in a Bill to remove doubts relative to an Act made this session of Parliament respecting certain duties of excise; which, after a few words from General Smith, was granted.

The House, in a Committee, came to a resolution to grant leave to bring in a Bill for the importing of fine silk from any country now in amity with his Majesty.

The Friendly Society Bill passed the Committee, and the Report was ordered to be received next day.

Mr. Ryder moved for leave to bring in a Bill to enable woolcombers to exercise their trade in any town in Great Britain, &c.—Granted.

A message from the Lords informed the House that their Lordships had agreed to several private Bills.

MR. MALESPINE'S AFFIDAVIT.

On the motion of *Mr. Thellusson* that a copy of the affidavit of Mr. Malespine, verifying certain facts, &c. be laid before the House,

Mr. Grey said, he had never shewn an unwillingness to the production of papers that tended to elucidate the subject to which this affidavit referred, or which any person might think necessary. But he must state to the House what were his doubts as to the regularity of producing this affidavit before some decision should be

be had, whether the conduct of Sir Charles Grey and Sir John Jervis in the West Indies should be inquired into, because this might be made evidence hereafter in the course of that inquiry, if it should be instituted. He was aware an affidavit had been produced in that House, but that was made under circumstances very different from this. That affidavit was not made after a view of the proceedings which had been already had in Parliament upon this subject, and was of a date prior to such proceedings; but the present affidavit was of a date subsequent to the debate in that House upon that business, and seemed to have been procured rather in consequence of that debate, and circulated pretty industriously among the Members of the House, and in the city, and conveyed a direct attack on officers who were not present to defend themselves. Instead of this affidavit, he should like to see Mr. Malepine giving his evidence at the bar of that House, if the inquiry was instituted. His difficulty arose on the question of the regularity of admitting papers of this nature, not that he had any objection to the affidavit being laid upon the table, because he did not hesitate to state roundly that the affidavit in question was from one end of it to the other a gross and scandalous perjury, and he hoped it was not so loosely worded, but that the author of it might be brought to condign punishment, for which purpose proceedings were to be instituted in a court of law.

Sir William Young agreed with Mr. Grey, that bringing up the affidavit would be in every respect in the teeth of precedent.

Mr. C. Dundas said, he also would confirm the assertion of Mr. Grey respecting the affidavit of Mr. Malepine, and evidence was then attending who would contradict every part of it. He had made inquiry into the character of another officer (*General Dundas*) who had been attacked, and whose reputation was dear to him—he meant his brother, now no more. The result of his inquiry had been such as to prove, that that brave man had never acted so as to call for censure on his conduct. He was no more, and he requested those Gentlemen who were about to move for an inquiry, that they would not let any false delicacy, or any respect for the ashes of the dead, prevent them from bringing his conduct also to an examination. He asked this, because he felt the full confidence that the result must do honour to the character of that gallant officer, by a triumphant victory over the assailants of his fame. He asked this also, because he saw his character shamefully attacked in the state papers of another nation. *Victor Huët*, the commissioner, in his public dispatches, had carried enmity beyond the grave, and had basely insulted the memory

of a man, whom he had feared to meet when living. He implored those who called for examination, to let it extend to the length he asked, and thereby do justice to the reputation of a gallant officer, whose conduct never was before impeached.

Sir W. Scott observed, that this affidavit could not regularly be laid before the House; it was not evidence of any thing positive even in the court where it was taken, for it only stated the opinion of the person who made it, and as what he believed, not what he knew.

Mr. Barham said, he had asked for no other papers but what were necessary to ground his motion upon. He should act solely upon the evidence before the House, and confine himself to the papers upon the table. In respect to what had fallen from an Hon. Gentleman, concerning a gallant officer now dead, he challenged the recollection of the House, whether he ever had said a word imputing blame against him. When he did not blame him, it was not through a delicacy of reverencing the dead; it was because he believed none of his actions ever merited censure.

Mr. Sheridan said, that it was with him a matter of regret that this affidavit could not, according to the rules of the House, be laid before them; but that, however, was in some measure compensated by its being in the hands of almost every Member. His Hon. Friend had said, that this affidavit was a gross perjury from the beginning to the end: He had very little doubt of that, for upon examination it would be found to bear strong internal marks of perjury, from its inconsistencies.

Mr. Thellusson said, that his brother had been charged on a former occasion with having made a wilful misrepresentation in his memorial on this business; and this affidavit was made in consequence. He then gave a history of the proceedings of the Committee of which his brother was the chairman, and maintained that his brother had done nothing for which he was not justified.

Mr. Fiddrell stated, that the affidavit was in a great measure misrepresented, and did not contain the inconsistencies pointed out to the extent that Gentlemen described them.

Mr. Fox said, his objection was simply this, that he did not like to take the affidavit of a man, who, if he gave evidence at all, ought in this case to give it at the bar of the House. But as this affidavit had been circulated so much, he thought it ought to be commented upon in the course of the debate upon this business, otherwise two great officers, of high character, would be treated in a very unbecoming manner; for

for they certainly were calumniated grossly in this extraordinary affidavit. He could have wished that this affidavit might have been laid upon the table, especially if there was to be no inquiry into the conduct of these officers, because if the affidavit were on the table it would be regular to discuss it.

Mr. Alderman Lushington said, his Hon. Friend had been regular in his proceedings. This was a great question to a commercial country; it was a question of policy, not of guilt. His Friend, *Mr. Thellusson*, had been called upon to do as he had done. When the facts stated in those affidavits were made known to him, as he had no reason to know the character of *M. Malespine* to be bad, he could do no otherwise than present the remonstrance which he did.

Mr. Whitbread spoke against the affidavit in express terms; he was certain, he said, of an Hon. Gentleman's assertion, that he could prove the falsehood of the memorial, and the affidavit, which was manifestly founded on it. Should the affidavit be received, it would be establishing a dangerous precedent. The character of the officers whom it tended to criminate, was highly deserving, and the more it was investigated the greater lustre would be added to it.

The Chancellor of the Exchequer observed, that Gentlemen were pretty nearly going into a debate upon the subject, which they should not do until it was opened by the Hon. Gentleman who had given notice of bringing the subject forward that day.

The question for laying the affidavit before the House was then put and negatived.

THE NAVY.

Mr. Secretary Dundas said, he had troubled the House on various occasions to attend to certain regulations respecting the payment of the wages of seamen; those regulations had been adopted, and he trusted that the beneficial effects of them had been already felt. He had an object at present in view of a similar nature; it related to half-pay officers of the navy. They were a set of men who were subject at present to intolerable hardships. When called upon to go into actual service, they found themselves in a very awkward situation: The pittance that was paid to them was so small, that it did not answer the purposes of fitting them out for the service; the consequence of which was, that they found themselves involved in great difficulties. They had occasion for money to fit them out, for which purpose they usually went to an agent, to whom they paid five per cent. interest, to which was to be added money for commission, and
for

for assurance of their lives when they are going upon an hazardous enterprise; so that altogether out of this miserable pittance, the deduction was not less than eighteen per cent. His object was to remove these difficulties, and put an end to this enormous expence; for which purpose he should propose, that they should have three months wages in advance, when called into actual service; and that they should be allowed to draw bills at three months, six months, or twelve months, as they might think fit to suit their convenience, which bills would be regularly paid without any of the expence which he had already specified. Another point which he had in view was, that of a regulation of the payment of widows pensions. He proposed that they should be paid by bills drawn for that purpose, without any expence or inconvenience at their own doors. He concluded with moving for leave to bring in a Bill for the more ready and convenient payment of the wages of the half-pay officers of his Majesty's navy, &c.

Colonel Maitland did not oppose this; on the contrary, he declared he was extremely happy that the subject was brought forward. The half-pay officers of the navy were unquestionably objects highly worthy the attention of that House; but he was of opinion also, that something should be done in favour of the subalterns of the army, whose case was at present a very hard one; and he was sorry that after provision had been made this session, for several objects, and one very large and extensive, to a certain high character, that still the subalterns of the army should have been neglected.

The Secretary at War denied that there was any inclination in his Majesty's ministers to neglect the subalterns of the army, as seemed to have been just insinuated. It was easier to talk of relief in general terms, than to procure it; and the Hon. Gentleman had not stated any specific remedy, nor made out any specific grievance in the case to which he alluded.

Colonel Maitland said, he thought it was sufficiently specified, to state that the subalterns of the British army ought to have some provision made for them. The fact was so; nay, he would venture to say that every Gentleman in that House gave more reward to his footman annually, than some of the half-pay officers in the army received from the Public.

General Smith approved of the motion of Mr. Dundas. The regulations he proposed he thought perfectly salutary, and such as must meet the approbation of every man who had the interest of the British navy at heart. He wished, however, that the care of the Right Hon. Secretary would also extend to the India officers, who were equally deserving of their country.

Colonel Rolle approved of the motion.—The case of midshipmen, at the conclusion of a war, was, he observed, peculiarly hard, and merited some salutary relief.

Mr. Jekyll wished to know whether the Right Hon. Secretary meant to include marines in his regulations? to which *Mr. Dundas* signified assent by gesture.

General Macleod said, he was not much in the habit of bestowing praise upon the Secretary of State; therefore, as he did so now, there would be the less reason to doubt his sincerity. He certainly applauded the Right Hon. Gentleman very highly for his motion. He also hoped that the cases of the other persons alluded to would have the minister's attention.—The motion was then put and carried, as was also a motion for a Bill to regulate the payment of the widows pensions.

CONDUCT OF SIR CHARLES GREY AND SIR JOHN JERVIS.

Mr. Barham proceeded to call the attention of the House to the subject of which he had given notice—he meant the conduct of Sir Charles Grey and Sir John Jervis in the West Indies. He trusted it would be unnecessary for him to say any thing in vindication of himself, for rising upon this occasion. He was aware of the manner in which accusations of that kind were generally received in that House, particularly when charges were made against characters which every one had been used to admire, and whom therefore most would naturally wish to protect. He felt also that this was a subject which was not likely to bring popularity to those who conducted it, and that there were several persons whom he perhaps could have expected to have joined him, would not be very ready to divide with him the unpopularity of this business. He was aware also he should not receive that assistance which he most wanted, from a quarter where once he had great hope of it. Notwithstanding all this discouragement, the subject was of such a nature, that he could not, consistently with his duty, abandon it. He was fully convinced that the conduct in the West Indies of which he complained, was such as to demand the interposition of the House, whether they considered the commercial interest of the country, or the recovery of the national honour. If he should hear any thing of delay in this business, and the delay was imputed to him, he should be ready to meet it; for although it was undoubtedly true that he took blame to himself upon a former occasion, for becoming a principal in this business, yet it was true also, that the motion with which he intended to conclude, could not, consistently, be made one day sooner than that on which he was speaking. It was necessary he should state that application had been made

to ministers upon the conduct of these commanders in the West Indies, as far back as the month of August last; but no answer had been obtained from them until the following April. And as he did not make this motion as a matter of course, but upon the ground of facts, the delay became unavoidable. The first answer from the Duke of Portland to Lord Penrhyn, was, that the law officers of the Crown were not fully prepared to make their report upon the business. This was on the 7th of April: On the 4th of May, he made his motion for certain papers to be laid before the House. When these papers were produced, he gave notice of the present motion, which he appointed for the second open day, which was afterwards deferred at the express desire of the Chancellor of the Exchequer. So much for the delay. A great deal had been said on the order of the proceeding. It appeared to him that in that point of view also he had taken the best course, and the most regular and Parliamentary one. For this he had consulted very high authority. It had been stated also that the proceeding on his part was preposterous; why, he did not know. It appeared to him, when an allegation was made on one side, and disputed on the other, to be proper to make it the subject of investigation, provided the point in contest be sufficiently important to occupy the attention of that House. One Gentleman, when this matter was before the House, had objected even to the granting of the papers which were then upon the table, unless he who moved for them should pledge himself to follow up that motion with another, for an inquiry into the conduct of these commanders, because the granting of such papers had something of the tendency of a censure on these gentlemen. From the same premises he drew a contrary conclusion; for it appeared to him, that if papers relating to the conduct of commanders be brought forward in the House of Commons, and afterwards the person moving for them did not chuse to call for an inquiry, it must necessarily follow that he was satisfied with that conduct which the papers had served to evince. If he had been of opinion that no blame was imputable to these officers, he should certainly not have come forward then, and he was sorry to say, that however good the characters of Sir Charles Grey and Sir John Jervis might be, the persons who complained of them had not, in his opinion, complained without foundation. He was willing to confess the characters of these commanders were high in every respect, except as to their conduct in the West Indies: But if it was supposed that he made this acknowledgment, not from the dictates of his own feelings, but to pacify his opponents, and to avoid the high tone which they might otherwise adopt, that

that was a mistake, for he was sincere in the praises which he was bestowing on the characters of these commanders, and what he said upon that part of the subject arose out of the impulse of his own mind.

With regard to the letter of Sir Charles Grey, by which he stated that he kept no copy of some of the proceedings, particularly a proclamation in the islands, he apprehended it to be of itself evidence of some blame, or he confessed he did not understand the matter at all. When he found that this proclamation was complained of there, and disapproved of at home, did he not think fit to order and preserve a copy of it? Did not ministers ask for copies? If there ever was a copy of the proceedings in the islands, when did it disappear? Did it disappear when it was suspected that an inquiry into the whole proceedings would take place? All these questions ought to be answered plainly and unequivocally. If such papers as these were not to be returned by commanders, there would be an end at once of all the inquisitorial power of that House, and he would defy any Gentleman in it to say that there was any check on the conduct of any commander, be it ever so atrocious. This letter of Sir Charles Grey stated also, that the accounts which had been sent home were not correct. What reason there was for that assertion he did not know. He knew of no inaccuracy in them; but although they were accurate as far as they went, they were not complete. There were some papers of great importance, which were not yet before the House; he, however, had the good fortune to be supplied with one, which he should make the House acquainted with, by reading it as part of his speech, before he concluded what he had to say upon the subject. If Gentlemen who might oppose him should deny the authenticity of the document, he would undertake to prove it; he should beg to be understood as being at issue with his opponents upon that point; and that he was ready to risk the whole question upon that fact:—This was a petition of some of the inhabitants of St. Lucia.

Before he proceeded to state the grounds of the motion with which he intended to conclude, Mr. Barham said, he should inform the House that his motion was not for a Committee of inquiry into the conduct of Sir Charles Grey and Sir John Jervis, and this for two reasons: One, that he was not at all pledged to make any such motion; nor could he tell what motion would be proper, until he had seen the papers which he moved for. The other, that he did not think he should obtain it if he moved for it; and that a great part of his object might be obtained without inquiry; however, if his opponents should propose an inquiry, he could have no ob-

jection. It had been said, that the memorials of the commanders had been in his possession for four months. They had never been in his possession; they were laid before the House. With regard to some of the proceedings of the commanders in the West Indies, they needed no evidence, they spoke for themselves intelligibly enough, and to them he should confine the grounds of his motion. Out of them he did not intend to travel, unless his opponents should set him the example. If they should, then he must oppose assertion to assertion, opinion to opinion. If there were letters in extenuation from Mr. Soran, as was once asserted, he should assent that he knew nothing of Mr. Soran, or that they might be merely letters of gratitude to his benefactors. If he should be told of the service of plate that had been given to these commanders, and that this was a proof of the estimation of their services in the islands, he should answer, that this was not expressive of the general sentiments of the inhabitants, but was the act of a few persons who were dependent upon the commanders. If they should say any thing of the testimonials, he should answer, that the inhabitants of the islands are now complaining in courts of justice of the conduct of these commanders—a proof that these inhabitants think their conduct illegal, as well as unfair. There was a document on the table which some Gentlemen might rely upon a good deal, in the discussion of this matter. He meant the affidavit of General Myers. He had nothing to say against this officer, but he must remark that as the document had been laid on the table without any notice to him or any other person interested in the part he took in this discussion, it would have been but fair to allow time to them to answer it. Besides, this affidavit was nothing but *ex parte* evidence, and that too from a witness who was something of a party in the business.

In order that the House should clearly understand what part he should take, and what he should decline, it was necessary for him to state, as he had said before, that if his opponents should, by way of amendment to his motion, move for an inquiry, he should vote for such an amendment, but he should not, for the reasons he had already stated, move for any inquiry himself. There were several points to be considered in this business. One, the original promise of protection from the commanders to the inhabitants of the islands. A second, how far the conditions had been complied with? Thirdly, how far they had been forfeited by the conduct of the inhabitants? This could not be done, however, without inquiry. The next thing would be, the degree of resistance which the inhabitants made to his Majesty's troops in the islands, and whether it justified the severity and the force of military law
which

which had been adopted. These were points which could not, he said, be settled without inquiry, and therefore he put them by for the present; nor would it be necessary for him at all to notice them, unless the inquiry should be entered into; and in order to give his opponents full benefit of every thing that could be urged on those topics, he would admit beforehand every thing that it was possible for them to prove. Supposing then the resistance to have been made, he would consider how far the proclamation of the commanders could be justified according to the practice of war in modern days, and according to the law of nations; how far it suited the particular situation of the West India islands at the time, and how far it was compatible with the general interest of the state.—With regard to the resistance made by the inhabitants of the islands to his Majesty's troops, he was persuaded that all the accounts which had been given of it, were very much exaggerated. What he complained of did not apply particularly to the particular acts of severity of the commanders; they, many of them, were now in a course of legal discussion; but it was the principle of the proclamation on which those acts proceeded. And he could not help observing, that the conduct of those who defended the commanders, was a little curious. If he complained of the acts, they referred to the proclamation. If he complained of the proclamation, they referred to the acts. With regard to the proclamation, he should consider it in a general way, and examine the spirit of it, for it was not at all necessary to examine it by verbal criticisms, or nice distinctions; the plain and broad meaning of it was obvious. He proceeded to read extracts from the printed papers, in the course of which he made several comments. In the first place, the inhabitants, he observed, were told, "that all those who availing themselves of the invitation, in a quiet and peaceable manner, should submit to the authority of the King, and put themselves under his Majesty's protection, should be assured of personal safety, as well as a full and immediate enjoyment of all their lawful property, according to their ancient laws and customs, and on the most advantageous terms, those persons alone excepted, whose removal should be found necessary for the safety of the island; and even to persons of this description, whatever may be their conduct, we promise a safe conveyance to France." In this nothing was said of confiscation. He then came to the two proclamations of the 10th of May and 21st of May 1794, on which he chiefly founded his motion, and signed by General Prescott, under the order of the commanders.

By his Excellency Robert Prescott, Esq. Lieutenant General of his Britannic Majesty's Forces, Governor and Commander in Chief of the Island of Martinico and its Dependencies.

The inhabitants of the different quarters of the island of Martinico are desired to meet in their respective parishes, for the purpose of choosing, by ballot, for their representative, an intelligent person of known integrity; and those deputies, after they are chosen, are requested to assemble next Sunday, the 18th instant, in the town of Fort Royal, to meet the Commissaries appointed by their Excellencies Sir Charles Grey, K. B. and Admiral Sir John Jervis, K. B. for the purpose of fixing, in an equitable and efficacious manner, a general contribution (the amount of which shall be made known to the representative of each parish), to be paid by all those who possess property in the colony: The commander in chief having decided, that such an arrangement would be much more convenient than a general confiscation. Other matters concerning the welfare of the colony will also be proposed to them.

Given at the Governor's House at St. Pierre, on the tenth of May, one thousand seven hundred and ninety-four, in the thirty-fourth year of his Majesty's reign.

(Signed)

ROBERT PRESCOTT.

By order of the General,

(Signed)

B. CLIFTON, Secretary.

By Order of their Excellencies, General Sir Charles Grey, and Admiral Sir John Jervis, Commanders in Chief of his Britannic Majesty's Fleet and Armies in the West Indies.

No attention having been paid to the proclamation of the 10th instant, issued by his Excellency General Prescott, desiring all the good people of this colony to assemble in their respective parishes and quarters, for the purpose of choosing persons of known intelligence, and approved integrity, to represent them in an assembly, which, according to the said proclamation, was to be held at Fort Royal, Sunday, the 18th instant, to meet the Commissaries appointed and duly authorized by the commanders in chief, and to confer with them on the most equitable and most expeditious way and means to raise a *sum of money adequate to the value of the conquest* destined to reward the valour, to compensate the excessive fatigues, and their consequences, sickness, and mortality, and to make good the heavy expence incurred by the British officers, soldiers, and sailors, who, with unshaken firmness, and matchless perseverance, have achieved the conquest of this island, subjected it to the British Government, rescued from a wretched exile the greatest number of its inhabitants, and restored them to the *quiet possession of their property*, the confiscation of which had already been decreed:

And the procrastination of this general arrangement being the cause which prevents many well-disposed inhabitants from carrying their commo-

dities

ilities to market, and procuring themselves what is necessary for their habitations, to the obvious prejudice of the whole colony :

The commanders in chief, in order to remove an evil of such importance, and which is daily increasing, enact and ordain as follows :—

I. The civil commissaries, each in his respective parish, are to draw up and deliver, as soon as possible, exact lists of the habitations situated in the said parishes, containing the number of slaves, cattle, acres of land, buildings, and plantations, an estimate of those objects, and a specification of all sorts of productions made and gathered on each estate, wherein ought to be distinguished those that *bona fide* had been made and collected before the twenty-third of last March.

II. The civil commissaries in the parishes of the different towns and boroughs are likewise to draw up and deliver a list of the houses, slaves, and servants, to be found in the said towns and boroughs, stating the proprietors thereof, the yearly rent of each house, and enumerating all sorts of property, comprised under the denomination of goods, commodities, or merchandise in the said towns and boroughs.

III. The civil commissaries are also ordered, in their respective quarters, to demand the ledgers, and all account-books, notes, and deeds belonging to captains or agents of the French trade, as well as an exact account of all sorts of property, falling under the description of vacant succession, in each quarter of the colony, with a correct inventory of all the goods, effects, and chattels, belonging to such persons as have taken arms in hand, or been killed during the siege, or banished the island ; and further, *a specification of all property belonging to persons of any description whatever, residing in France.*

IV. The civil commissaries are to name in their reports all persons, without exception, that should delay giving in the different specifications required, or be suspected of making a false declaration, or fail to give the usual assistance, necessary for the exactness and impartiality of reports of that kind ; it being the intention and wish, that the intended levy be made in the most equitable manner, and in exact proportion with the means of each individual.

V. The said reports are to be made with all possible expedition, so that on Saturday the 31st inst. or sooner, they may be delivered by the civil commissaries to the commissioners appointed to receive them, and who, for this purpose, will repair either to the Intendant's Hotel at St. Pierre, or to the Governor's House at Fort Royal : The commanders in chief having, on their part, manifested their ardent wish to adopt the mildest measures, *declare herewith, that it is their firm resolution to have this present measure fully executed, or, on failure of it, to avail themselves of the power, with which they are invested, to order and enforce a general confiscation.*

Given under our signature, on board the Boyne, Fort Royal Bay, on the twenty-first of May, the year of our Saviour one thousand seven hundred

hundred and ninety-four, and the thirty-fourth year of his Majesty's reign.

By order of their Excellencies,

(Signed) G. FISHER.
G. PURVIS.

(Signed)

CHARLES GREY.
JOHN JERVIS.

By these proclamations, nothing could be more clear than that a general contribution and a general confiscation were intended, and there was no species of property that was not enumerated under them. How it was to be proved that these proclamations were not intended to be carried into effect, he could not conceive. The next thing to be considered was, whether there was any necessity for this? whether the inhabitants had opposed his Majesty's troops, so as to make it necessary? He had carefully perused the dispatches, and there was not the least proof of any such resistance having been offered by the inhabitants, persons of any property whatever. The Whites were always well inclined to the British Government, but were kept in subjection by the Mulattoes, and the Negroes, and the Petits Blancs, which are a set of people possessing no property. The Emigrants also, he asserted, had been driven into exile, and their property confiscated. There might have been something of the kind done by a banditti, but he thought it really fair to conclude there was none of the resistance to make those proclamations necessary. These inhabitants, in consequence of the first proclamation, had joined us; and from the manner in which they were treated afterwards, they saw clearly it would have been better for them if they had opposed us. This appeared to him to be highly injurious to our character, as a people generally renowned for justice and humanity. It was inconsistent with the rest of our conduct in this war; and while in various parts of the globe, we were covering our enemies with bounty, those who trusted to our good faith met with ruin.

With regard to the idea of these islands having been taken by storm, the thing appeared to him to be astonishing. St. Pierre was stormed without reason or necessity, it being nothing but an open town without wall or ditch; and when the British troops advanced, resistance was only made by a few negroes and mulattoes. Nor was this all; the whole island of Martinique was stormed; and Gentlemen might judge of the necessity of such a measure, by imagining what their surprise would be to hear of the storming of Hampshire. He would ask, if there was any insurrection here, would any person

person talk of taking Hampshire by storm? At Martinique, an island strongly fortified and capable of the greatest resistance, as it contained fifteen thousand white inhabitants, besides negroes and people of colour, the contest lasted for twenty-eight days, and only eighty-four men were said to be lost. Guadaloupe held out for eight days; St. Lucia, three days, and was said to be taken without loss. If, under such circumstances, these places could be said to be taken by storm, the conclusion to be drawn from it was, that the fate of war was wonderfully altered, and the French must have lost entirely, in this case, their character for fighting. Very different was his conclusion from such premises; he thought the circumstances proved beyond a doubt that the inhabitants did not at all oppose us. But even supposing that they actually resisted us, it would then be a question how far these proclamations were agreeable to the law of nations, and compatible with our interests as a state; and upon this he thought the House ought to come to a decision, otherwise the law of nations would appear to be nothing but a chimera, an idea that would be very injurious to the interest of all well-regulated states. He laid it down as a principle, that enemies when conquered immediately became subjects entitled to protection. The inhabitants of the islands had not been so regarded in this case, and therefore the House ought to annul the proceedings of the commanders. He contended that this mode of levying contributions, and subjecting to confiscation, had never been the practice in former wars, and that the manner in which the commanders in the West Indies had allowed the taking of booty, was contrary to the Act of Parliament which regulated that point on our part. He insisted also, that the conduct of these commanders was contrary to their instructions. He then proceeded to shew that the proclamations he had read, had been acted upon; and he read a petition that he said had been presented to the commanders, reminding them of their declaration in March, promising protection, &c. and complaining that the subsequent proclamations for contribution and confiscation had been enforced against them. Even supposing that these proclamations had not been acted upon, in his opinion, they ought to be disavowed. He would ask, by way of illustration, whether the manifesto of the Duke of Brunswick ought not to have been censured, although it had never been acted upon? For these reasons he trusted the House would come to a declaration upon the proclamations, and that no shift would be made use of to get rid of the subject, by moving the previous question, or any thing of that sort; the House should not suppose that by passing this subject by, they would be doing nothing; they would

would be doing that which was very dangerous. He concluded with moving, "That an humble address be presented to his Majesty, representing that it appears to this House, that certain proclamations were issued by Sir Charles Grey and Sir John Jervis in the island of Martinique, and dated May the 10th and 21st, 1794, which this House conceives to contain principles not warranted by the law of nations, and of dangerous precedent in all future cases of hostility, and which occasioned great alarm and dissatisfaction in his Majesty's colonies; and therefore humbly praying his Majesty, that he will be graciously pleased to take such measures for recalling the same, and removing the apprehension of his faithful subjects, as to his Majesty shall seem good."

Mr. Manning, in rising to second the motion, began with vindicating the memory of General Dundas, upon whose character no imputation was intended to be thrown. He referred to the declaration published in 1793, as explanatory of the principles upon which the war was to have been conducted, and from which he conceived the proclamations which it was the object of the present motion to disavow, to be a wide deviation. He referred also to the instructions to the commanders in the West Indies, which, in speaking of booty, expressly excepted the property of the settled inhabitants; that very species of property against which their proclamations were directed. He found himself called upon to support the motion not merely as a West India merchant who had a considerable interest in that quarter, but as a British subject who demanded that the character of the nation should be vindicated from the reproach of injustice. The affidavit of General Myers stated, that a general resistance had been made to the British arms in the island of Martinique. It was to be recollected that this island was thirty leagues in length, and seven in breadth, from which it would appear how far it was probable that such a resistance had been made. He could refer to many former instances, where there had been a considerable degree of resistance; and yet no such principles as those contained in the proclamations, had been attempted to be enforced. As a proof of the loyal dispositions of the inhabitants of Martinique, he quoted the authority of General Bruce, who mentioned, that eight hundred French planters had taken up arms in the British cause, all of whom must have either been removed or massacred; yet there appeared no evidence that in the late expedition any steps had been taken to secure their property for the use of their heirs.

As an additional proof of the loyalty of the inhabitants in that quarter, he stated that at the time appointed for taking the

the oath of allegiance, the concourse was so great, that the person employed to administer the oath was obliged to send many of them away. He referred to the distinction between the laws of war and the rights of conquest. When the conquest took place in the islands, no reservation had been made of the rights of war; the inhabitants took the oaths of allegiance, and were recognized as British subjects; yet soon after an assembly was convened for the purpose of levying a contribution, who by declining to meet, gave evident proof of their satisfaction. The first instance of contribution had taken place in St. Lucia. A sum of three hundred thousand pounds was imposed, which was afterward reduced to one hundred and fifty thousand pounds. Of this, the largest sum said to have been raised, amounted to thirty-five thousand pounds, a plain symptom that the original imposition was felt to be exorbitant and oppressive. It had been urged, that during the command of Sir Charles Grey and Sir John Jervis, no complaints had been transmitted to this country. The reason was easily accounted for: No notary could be found to draw up a remonstrance, with the certainty of incurring the displeasure of the superior council, and the consequent risk of being expelled from the islands. He instanced some particular cases of oppression which had taken place, among others, that of Mr. Thornton, who had an estate of about twenty thousand a year in the neighbourhood of St. Pierre, who was at that time dismissed the island, without a shirt to his back, and under the necessity of borrowing a guinea from a friend to purchase his passage to France. He affirmed that the proclamations of the 10th of April and the 21st of May, were neither justified by the principles of the law of nations, nor the practice of former times. He contrasted the conduct of the Marquis of Bouille with respect to St. Kitt's, with that which had been observed by the British commanders. After the French had taken the island, he himself continued regularly to receive his remittances through Ostend, Bruges, or Hamburg. The complaint on this occasion had been ascribed entirely to disappointed speculators. He himself had received hundreds of letters from respectable planters in different places, unconnected with commerce, and not personally interested in the French West India islands, that reprobated in the strongest terms the conduct of the British commanders. From these he read some extracts to the House. These extracts talked of the inhuman and avaricious conduct of the British commanders as having fixed a stain upon the name of the country; and of the example which they had exhibited of rapacity and oppression, as being calculated in a

reverse of fortune to produce a most dangerous retaliation on the part of the French. In vindication of the proclamations great stress might possibly be laid on what had formerly taken place in the island of St. Eustatius, a precedent which, he believed, would not be very popular in the country. In that case, however, there was a distinction from the present; the commanders had been particularly instructed to take possession of that island as an hostile arsenal. In the course of his speech, Mr. Manning entered into a definition of what was to be considered as booty, which he confined to the description given under the Prize Act, and stated as his opinion that the rights of conquest consisted merely in the exercise of legal sovereignty; the laws of war only applied to the instances in which a place was taken by storm, and could not be supposed to exist with respect to the subjugation of an extended territory. He concluded, that the object of the motion was to call for a disavowal of the proclamations; it was only calling upon ministers to do in public what they had already done in private, by instructions sent to the West Indies, annulling those proclamations. Considering that disavowal to be necessary upon principles of reason, justice, and sound policy, he felt himself strenuously bound to concur in supporting the motion.

Mr. Grey said, that though on a former occasion when this subject was started, he had been anxious to offer himself as late as possible to the attention of the House; after the two extraordinary speeches which they had just heard, extraordinary he would call them, as applied to the motion which they were intended to support, he felt himself equally anxious to rise as soon as possible, in order to obviate the effects which they were calculated to produce. If the Hon. Gentlemen had really felt the reluctance which they pretended to bringing forward the motion, the disavowal of the proclamations which had taken place in consequence of the letters of the Secretary of State, might have sufficiently satisfied their apprehensions as to any consequences that might have been produced in the West Indies. If they had been sincere in the wish which they had expressed, of not giving pain to the feelings of gallant commanders, would they have had recourse to the line of argument which they had adopted, in bringing forward a motion, which, though not in itself a charge against those commanders, was supported by charges, which, if true, there was no punishment for their delinquency, which could be too severe? If these proclamations had been attacked merely upon the general principle; if ground of accusation had not been sought from matter not at all connected with the proclamations (that they

they might be carelessly worded he would not deny), he would have left it to others better acquainted with the law of nations to have undertaken their defence, and not have come forward on a question, with respect to which he felt more anxiety than he had ever experienced in any former discussion. As to one commander in whose conduct he was particularly interested, and to whose character the Hon. Mover had stated that there did not exist the smallest reproach, but whose conduct that Hon. Gentleman had been pleased to ascribe to mistake, inadvertence, or misinformation, expressing at the same time a hope that the testimonial would not be disdained by him; that testimonial, he must say, lost its value from what had followed; when he heard of the inhuman and avaricious conduct of British commanders, when he heard of their rapacity and oppression, as calculated to fix a stain upon the British name, and to set to their enemies an example of the most dangerous retaliation, if he must not say that he did not disdain a tribute of applause, followed up with such epithets, he at least would say that to him it had no value whatever. The two Hon. Gentlemen had supported the motion upon different principles, which though not very distinct in their statement, he would endeavour to separate in the discussion. It had been asserted first, that the proclamations were contrary to the principles of the law of nations; to the Hon. Gentleman's construction of the law of the nations, it might; but the argument was new to him, and he believed to every body else. But though the objection had been made on the ground of principles, it had been chiefly supported upon an enumeration of facts.

It had been broadly stated that every thing done at St. Eustatius had been done in the late expedition. There was some confusion as to other topics. At one time the House were told of the danger of retaliation, in consequence of the cruelty experienced by the subjects of the French government: At another the complaint was, that our own supporters and allies had not been treated with proper regard. As to the cruelty experienced by subjects of the French government, he had always heard that the present war on the part of the French was a war of plunder, rapine, and devastation; that it was carried on by them in opposition to all order, humanity, and religion—the West India merchants had joined in this representation; but it now appeared that the fact was quite the reverse—that the French were a moderate, humane, and equitable people, and that no apprehensions were to be entertained from them, except so far as they might be influenced to retaliation by the example of cruelty and oppression

afforded by Great Britain, in the prosecution of the contest. It had been insinuated, that the misfortunes in Grenada and the other West India islands had been owing to the oppression and rapacity of the British commanders : As well might they trace the disasters in Flanders to the same source. What could be more absurd than to suppose that proclamations which had been annulled, and not acted upon, should have occasioned the subsequent devastations in Guadaloupe and Grenada ? Objections had been taken to the manner in which the wording of the proclamations had been attempted to be explained. What, however, could be more evident than that by the expression, the value of the conquest, nothing more was meant than the value of the property liable to be confiscated, and not surely the value of the fee simple of the island ? Great complaints had been made on account of the proclamations not having been transmitted to this country. Sir Charles Grey in his letter assigned the reasons why that had not been done. As to their being inaccurate, it appeared upon the face of the proclamations themselves that the translations must be inaccurate.

On the subject of the rights of conquest, it had been stated, that the moment resistance ceases, a legal sovereignty succeeds ; and the people who are subjugated come under the protection of the conquerors. He always had understood, that when terms had been refused, when the utmost resistance had been made, the persons and property of the vanquished became subject to the Sovereign whose troops occupied their territory. Such was the doctrine which prevailed in the law of nations, and which was not carried in the proclamations beyond what was allowed by the mitigated practice of modern times. It had been stated also that the soldiers had no right to booty, except of the description defined in the Prize Act. The Prize Act applied only to that species of booty which belonged to the captors ; it did not lessen the right of Majesty to that booty, which was uniformly the reward of conquest in every instance where resistance had been pushed to its utmost limits. Under this description of booty the proclamations included nothing but the stores and produce of the planters, which had been manufactured and packed up for exportation before the 23d of March ; and this booty had been assigned to the soldiers only under grant of his Majesty, and subject to his future disposal. By their proceeding on this occasion the commanders had shewn themselves anxious to maintain at once the rights of the Sovereign, and the discipline of the soldiery. Even for the sake of the conquered country, such a procedure was perhaps the most desirable.

If

If the soldiers were not to be allowed what they felt to be a due reward of their labours, they would conceive that they had a right to take it. What they thus thankfully accepted as a boon, they would then extort by violence; and instead of a moderate contribution, a system of universal plunder would follow. The commanders then did not want for their conduct the apology which had been assigned them of mistake, inadvertence, or misinformation: They had acted from a sense of duty, from zeal for the rights of their Sovereign, and from regard to the discipline of the troops under their command. Their conduct was even such as from enlightened views of policy would be found ultimately most conducive to the peace and security of the conquered country. On this occasion reference had been made to their instructions. On inspecting these instructions, he was blind enough to think that they furnished a complete vindication, not only for what they had done, but for what they intended to do. It had been supposed that there existed no right to booty, except on the capture of a fortified place. So far was this from being specified, that in one copy of instructions relative to booty, mention was made of what might be taken in a settlement, and in another the general case was put of a conquered country. Even in instances of capitulation a certain right of booty had been reserved to the Sovereign and the troops; and in cases of storm a larger proportion had been allotted to the soldiers, because they on such occasions were necessarily exposed to a greater degree of fatigue and danger. Mr. Grey here quoted from history examples of the practice to which he alluded. An Hon. Gentleman had mentioned what had taken place at St. Eustatius as a precedent of no good authority, and not very likely to be popular with the country. He had said, that if another Hon. Gentleman (Mr. Burke), no longer a Member of that House, who had brought forward the conduct of the commanders at St. Eustatius, had been present, he should not have been under the necessity of coming forward. He was reminded, indeed, that the Honourable Gentleman who complained of the conduct of Lord Rodney and General Vaughan, had after the 12th of April dropped all proceedings, and even handsomely said, that "if there was a bald spot on the head of Lord Rodney he would cover it with a laurel." Would he then, after the brilliant services performed in the West Indies, have been the person to have come forward with a charge of crimination against the commanders at the head of the expedition? So much for the wording of the proclamation. He would next examine how far it had been acted upon. The moment that it had been known to the commanders

manders that it occasioned discontent and dissatisfaction, or had in the smallest degree been considered as oppressive, it had immediately been annulled. As it was impossible to lay down a precise rule where there was so much room for the exercise of discretion, it was impossible to say whether the proclamations were right or wrong, except some method could be contrived to take into consideration all the circumstances of the country at the moment in which they were issued. It had been said, that the contents of the proclamations were in direct opposition to the declaration of the 1st of January. It must first be necessary to shew that the declaration had been accepted. It was said that the terms held out in that declaration were either protection or removal; protection to those who submitted themselves, and removal of such as should be found refractory. If Gentlemen, however, read the conclusion of that paper, they might perhaps find another alternative. The conclusion was this: "All such persons as in contempt of his Majesty's gracious and benevolent intention, should dare to oppose this declaration, shall be treated as enemies, and remain exposed to all the evils which the operations of war cannot fail to bring over their persons and property." Did not this in the plainest manner point out confiscation, and all the other consequences authorised by the rights of conquest? The paper was intended to contain an inducement to submission. Though the motion was confined to Martinique, an Hon. Gentleman had thought proper to travel into St. Lucie for facts in order to support it. It was material to be ascertained whether the inhabitants of Martinique did not resist, in direct opposition to what had been asserted. He would prove that the inhabitants of Martinique did generally resist; that they had not aided the progress of the British troops, even by intelligence; he would prove it by the evidence of the whole army; he would prove it by facts themselves. An Hon. Gentleman had gone so far back as the expedition of General Bruce; but what had he proved by his statement, but that the great majority in Martinique were decidedly attached to the Convention; and that the others, who had sided with the British, had been since expelled, or massacred? He would proceed to examine the curious memorial and affidavit which had not been permitted by the House to lie upon the table. Taking the memorial from its contents, not knowing Mr. Thellusson, by whom it was signed, whether he was a Member of that House or another of the same name, he had formerly asserted what he should again repeat, that it was a series of falsehood from beginning to end, and that the affidavit upon which it was grounded, was an instance of the grossest perjury. If, as he under-

understood, the Gentleman by whom the memorial was signed, was a merchant of eminence, it would well become him to consider what he was doing, and to examine the public dispatches, before, upon the evidence of one, who is declared to be a notoriously good man, but, who is so notoriously good, that the Gentleman who thus characterized him, would not undertake to support his allegation upon oath; before, upon such evidence, he ventured to attack the character, and to wound the feelings of respectable commanders, he would first shew such circumstances upon the face of the memorial, as evidently proved its falsity; and secondly, he would lay before the House, a statement of facts, supported by gentlemen of undoubted veracity, whose evidence he was ready to produce at the bar.

Mr. Barham here called *Mr. Grey* to order. He said, that as the memorial in question had been rejected by the House, and as nothing had been founded upon it by him or his Hon. Friends, he conceived it improper to make it the subject of comment.

The Speaker called the attention of the House to the point before them. As the memorial had not been permitted to be laid upon the table, it might not be strictly regular to make it the subject of comment; but it was to be recollected, that the memorial had been published and distributed to Members of that House, and as it went to impute blame to the conduct of the Hon. Commanders, he submitted to the House whether it was not proper for any Member to remark on it as a publication, with a view to the vindication of their character.

Mr. Grey contended that he had a right to remark on the memorial as a publication, and the affidavit with which it was accompanied. Both went to throw aspersions on the character of the commanders in the West Indies. The charges against them had been now in circulation for six months. The Hon. Gentlemen had at last come forward as their accusers, and were not they to be admitted to be heard in their defence? There was nothing in the memorial which had not been transferred to the speeches, two parts of which were not at all to the purpose, and which he would not have an opportunity to notice in his answer. This *Mr. Malepine* states, that when the town of St. Pierre received the first summons from his Majesty's commanders, the white inhabitants were so absolutely at the disposal of the negroes and people of colour, that they could not manifest their desire of surrendering. The town of St. Pierre had at no time been disposed to the British cause. Why then should *Mr. Malepine* have taken refuge in
the

the town of St. Pierre, which had been the source of all the troubles in Martinique, when remaining in the open country, he might at least have shewn his pacific dispositions, and, if so inclined, have afforded assistance to the British arms? Mr. Malespine states that after the proclamation was issued, the inhabitants took the oath of allegiance; just as if the oath had immediately followed the date of the proclamation. The impression intended to be produced by this mode of statement, was sufficiently obvious. Mr. Grey said that he would next proceed to the statement of facts, in support of which he could produce the evidence of a number of respectable officers, who were attending near that House, if their testimony should be required. These were the officers who had commanded in the different divisions who had made their attack on several parts of the island, and who had not experienced the smallest assistance or support from one white inhabitant. With a view to injure the fame of the commanders, the service had been attempted to be depreciated. It had been said that the conquest had cost only twenty-eight days; when in reality it had taken up from the 6th of February to the 25th of March; and that only eighty-four men had been lost, when it would be found from the returns that the number of killed and wounded amounted to between two and three hundred. Where the Gentlemen who have brought forward the motion have been careful to pass over every thing unfavourable to their purpose, they have been equally assiduous to pervert known facts, and to bring forward others entirely void of foundation. Malespine says that the whites were restrained by fear of the blacks, and the people of colour. Whereas from the statement it would appear that the town of St. Pierre is chiefly occupied by the whites; that they manned the works, and worked the guns; and that almost all those who were killed were whites. Mr. Grey said, that as it might now be deemed too late in the session to enter into the inquiry, he would read the report of the officers in their own words. He read the report of the officers who commanded the different divisions in the attack on Martinique—General Myers, Colonel Chalmers, Captain O'Callagan, the Aid-du-camp to General Dundas, Major Stuart, Major Burnet, and Captain Douglas of the 30th regiment.

The testimonies all concurred, upon the honour of the Gentlemen who signed them, which they were willing to sanction with their oaths, that no white person in the island gave the least succour, assistance, or intelligence—That the troops landed in different quarters, and no where met with support, but, on the contrary, with resistance—That the attack lasted from

the 26th of February to the 28th of March, instead of eighteen days; and, as the returns would shew, that instead of eighty-four men only lost, they lost between two and three hundred—With Bellegarde alone they lost seventy.

They furthermore stated, that those who were killed were almost all whites, in their military uniforms, and that the whites alone worked the guns and batteries. They gave an account of Mr. Dalling's coming from St. Pierre, with a flag of truce, and attended by a military guard, and they shewed that from Trinity town to St. Pierre a distance of twenty miles, not one person joined them except some negroes. They all agreed that the whites might have subdued the people of colour if they had been inclined, and that when the royalists were expelled in 1793, on account of General Bruce, the inhabitants of St. Pierre were most violent.—To these he added the voluntary testimony of Colonel Coote, who could not find a white guide through the whole island, and when two were found for his Royal Highness Prince Edward, they would not go till a certificate was signed for them, stating that they were compelled to do so at the point of the bayonet.

The report, which was equally distinguished by precision of detail and perspicuity of language, went in the plainest and most direct manner to contradict all the facts alledged in the memorial and the affidavit.—Mr. Grey stated, that he had received voluntary offers of testimonials to the same purpose, from almost every officer who had served under the commanders. Of these he should only read those of Colonel Craddick and Captain Brown of the *Asia*, who commanded the squadron at St. Pierre, while the *Vengeance* was on the other side of the island, who stated that they might have sent a canoe off in a calm, if they wished conciliation.

This was the account they gave of the general disposition of the white inhabitants; and General White and Major Mason, whom the Hon. Gentleman had so deservedly praised, were willing to affirm the same:—But circumstances also spoke—their being in St. Pierre, instead of protecting their property in the plantations, which, though an open town, was defended by redoubts and forts. The Bellegarde army was never within fifteen miles of St. Pierre; and a spirit of resistance was manifested upon every occasion, to the last extremity.

It had been said that the courts of law were full of complaints against the conduct of the commanders. He said he had communicated with the Solicitor in order to ascertain the fact, and had found, whatever might be in preparation, that no claim had hitherto been exhibited, but that of Mr. Male-

spine. He said, he hoped to convict Malespine of perjury, for the shops were opened the next day after the proclamation, and the advertisement for the sales appeared on the 10th of April, and all the sales took place in that month, nor were there any after the 21st of May.

He then remarked on the sanctity of General Dundas's word, which was alone a sufficient pledge in comparison with the affidavit of such a contemptible wretch as Malespine, who, he doubted not, was one of the five hundred subsequently expelled from the island, and he could not discover the use of this question since the proclamations were not acted upon.

As to what had been said of no notary public having dared to draw a pen in remonstrance while the commanders remained in the West Indies, he defied Gentlemen on the other side to produce a single instance in which any complaint presented to those commanders had been rejected.—Lastly, he shewed, in reply to the observations of the Right Hon. Gentleman on our conduct towards the emigrants, that as it was, they complained of neglect, and if it had been otherwise, they would have complained that we had incurred the same principle of retaliation. With a brief recapitulation he then concluded an able and eloquent defence, and said that under all the circumstances of the case, he was prepared to give his negative to the motion. The disavowal of the proclamations could not be contended to be useful, since they had already been virtually reversed: And when by the motion claiming that disavowal, it was intended to wound the feelings, and to injure the fame of commanders who had rendered their country the most eminent services, and had in consequence received the thanks of that House, whatever else might be thought proper to be done, he at least could have no hesitation in giving it his decided negative.

Mr. Manning explained; he declared that the letters he had read had never been made any improper use of; they had come to him in a regular way, and he had taken such good care of them since, that he was much surprised to hear them argued upon as they had been; he never sent them to any newspaper.

Mr. Secretary Dundas said, that in every view of the question before the House, in which he could argue upon it, he must resist the motion; taking it in all its bearings, it appeared to him a very improper motion to be entertained by the House. He felt himself called upon to make some reply on two grounds, namely, to defend his own conduct in resisting the importunities and applications of the West India merchants

to

to him, in his official capacity, and to keep the debate as much as possible to the question immediately before the House—the consideration of the papers on the table, upon which the motion was grounded. On the first point he had expressed his sentiments so fully in the letter* which he wrote to the respectable body of merchants and planters who applied to him, that from the most minute investigation, and upon the most mature deliberation since, he was convinced that it was

* *Copy of a Letter from Mr. Secretary Dundas to Lord Penrhyn.*

“MY LORD,

Horse Guards, 8th May 1795.

“I have received your Lordship’s note, accompanying the memorial of the West India planters and merchants, praying for a strong military force, both by sea and land, for the general protection of the British West India islands, and a separate garrison to be stationed in each island; also for a public disavowal of the proclamations issued by Sir Charles Grey and Sir John Jervis.

“I feel much satisfaction in recollecting, that at no period since the commencement of the war, has there been a deficiency of exertions in furnishing the West India possessions with such a supply of both naval and military defence as the national force of the country would admit of; and if at any time these exertions have not, in all respects, had their complete effects, it has arisen from circumstances in which it is impossible to impute any blame to his Majesty’s ministers. These exertions will be unremitted; but you are aware that in sending reinforcements to the West Indies, the season of the year must of necessity be attended to; and permit me to take the liberty of suggesting to the consideration of the West India planters and merchants, how far such frequent public discussions on their own supposed weakness, is not calculated to increase, rather than diminish their danger.

“I am well aware that the present warfare is, in almost every respect, different from any that ever existed; and that there is too much reason to apprehend, that the object of the enemy with whom we are engaged is rather a plan of savage devastation, than of conquest beneficial to themselves; but I cannot admit that such a plan originated in any of the transactions of Sir Charles Grey and Sir John Jervis; it being an absolute certainty, that the system is the natural consequence of the principles on which the present government in France is founded, and existed long before either Sir Charles Grey or Sir John Jervis were employed in the West Indies.

“With regard to the proclamations to which you refer, I think it unnecessary for me to add any thing to what is stated in the letter from the Duke of Portland. It is notorious that these proclamations were abandoned or annulled almost as soon as they were issued; and it must be mere pretext, if such use is made of them as you seem to apprehend. I object therefore to the proposition of the West India planters and merchants, because they call upon his Majesty’s ministers to establish a general rule on a subject which, in the various usage of war, does not admit of a special definition; and, if the matter occurs to you in the light it does to me, I am sure you cannot be disposed to continue a discussion which can have no other tendency than to injure the feelings of meritorious officers, to whose great exertions their country is much indebted, and in particular that part of the British empire in which the West India planters and merchants are so deeply interested.

“I have the honour to be, &c.

“HENRY DUNDAS.”

*The Right Hon. Lord
Penrhyn, &c. &c.*

not possible for him to have done his duty, had he given any other answer. Having read a part of his letter, he said it was his intention upon a variety of grounds to oppose the proposition brought forward, by moving another in its stead. The Hon. Gentleman who brought it forward had very fairly first moved for an inquiry. On a motion of that sort, it was fair for every man to argue upon assertion and supposed facts. They had however abandoned that mode, and come forward that day with a proposition for the House to come to a decision grounded upon the paper before them. He meant no disrespect to either the mover or the seconder of the motion; but they certainly had not kept to the question, and those letters which had been read, apparently written from motives of animosity and malice, he considered as perfectly extraneous. Much of what had been said by the Right Hon. Gentleman in his reply (Mr. Grey), he likewise considered to be not directly to the question. But that Gentleman was placed in a situation totally different from the other two. If he had gone farther than the precise order of debate admitted, which he did not mean to say the Hon. Gentleman had done, he would have been amply and completely justified in bringing forward every topic, and commenting on every circumstance that could tend to bring before the House and the country the fair statement of all the transactions that had taken place. It became him to act as he had done from every consideration of public and private duty, as well as from those feelings that must arise from zeal and regard for the honour and character of one that was most dear to him, being involved; and from the discussion of a subject, so interesting to the Hon. Gentleman as the House must feel it to be, he was fully warranted in taking it up as he had done, and entering into every part of the question with a sensibility that the House would give him credit for, and acknowledge him to be perfectly justified in. While he said this of the Hon. Gentleman's situation, he could not allow that liberty to others: They had grounded all their complaints and fears upon the papers before the House, while they could not, nor had they even attempted to prove that any thing in the proclamation issued on the 10th of May by the commanders in the West Indies, or arising from it, gave just foundation for the fears and alarms they had so industriously circulated. If by an extravagant stretch of the imagination, Gentlemen attributed to Sir Charles Grey's and Sir John Jervis's conduct the subsequent and savage conduct of the French, the bare statement was sufficient to refute itself. Did what had taken place at St. Vincent's proceed from those proclamations; or, was it not from the insurrection of the Caribs, aided by Ja-
cobins

robins and their principles, that devastation had followed in that island? The same might be said of Grenada; and no possible case could be made out, which would prove that the proclamations in any manner occasioned the misfortunes which those islands had lately suffered. Another thing which might be said with regard to those proclamations was, that, having been notoriously annulled and abandoned before any proceedings had been had upon them, it was impossible that any actual grievance could be complained of, with justice, on that account, no property of any description whatever having been taken from the inhabitants in consequence of the proclamation: It was therefore still in their possession. This was notorious to all mankind. Every human being in the conquered islands knew it, and knew that orders were gone there not to act upon them; and a proof of the most substantial kind was, that the people there were all in quiet peaceable possession of their property. Were there not, besides, the letters of the King's ministers, which had been stated by the Hon. Gentleman (Mr. Barham) to that effect? He was quite at a loss to know what was the object of the address moved for, or what the Hon. Gentleman meant that his Majesty's ministers should advise the King to do. Did they wish a proclamation to be disavowed which had been notoriously annulled and abandoned more than twelve months ago, and was never acted upon? or did they wish, knowing that to be the case, and that it was so in those islands, even before instructions from this country could have reached them, that the King should disavow the proceedings of his commanders, merely because they had been, from the circumstances of the time, necessary, and had not since produced even inconvenience, far less grievance or distress? He had said thus much, because if there existed any fears or alarms respecting the effects of those proclamations, it must by this time be obvious to the House and to the country, that they were the most idle and ungrounded that could be stated, and ought not to be countenanced.

The next point upon which he would detain the House, was the general principle, as far as it was connected with the law of nations, upon which his Majesty's ministers and the commanders in the West Indies had acted. On this he would only say, that he had acted in concert with his colleagues, and never without having what they considered to be the best and soundest legal advice that they could obtain, or the country could afford him. Were it not that the person * was present, to whom they owed so much on that subject, he would have

* Sir William Scott, his Majesty's Advocate General.

said

said more; but it was better that the House should have it at first hand, and he trusted that if he had said nothing inconsistent with the opinions of that authority, he might expect the Right Hon. Gentleman to second the motion. The Hon. Gentleman on the other side, had wished to avoid going into any detail of particulars, and would have the House to agree to a general proposition, without having any facts before them upon which it could be established. With regard to the sums stated as prize-money or booty, Gentlemen ought to recollect that the King had not yet decided how it was to be disposed of; of course nobody concerned in that expedition could be said to have received it: With regard to the easiness of the conquest, he differed widely from those who seemed to under-rate the services performed; and he contended, that the degree of resistance which the British forces met with, fully justified and warranted every proceeding that had taken place. Those who said otherwise, or spoke lightly of the gallantry and hardships of that expedition, must prove that the Gazettes which he had officially received and published were forgeries. As to the time employed in the conquest of those islands, however wrongly Hon. Gentlemen had stated their opinions on that point, it mattered very little in effect, whether they were taken by a long siege, or a rapid storm. Perhaps it might not be quite orderly in him to state a plain but honest opinion, which he had received in private correspondence with a friend who witnessed all the glorious transactions of the able commanders so often alluded to; but he would state that a friend had written to him in these words, "It was right, Mr. Dundas, to send out none of your old women, as Generals, upon this expedition: If you had, you would have got into a damned scrape—let me tell you that." He would only add, with regard to time, that the old proverb might, in some degree, apply to the rapidity of success which followed the British arms in the West Indies—"What is soon done, is well done." He did not say that this applied to all circumstances; but he thought it did to the case he had stated.

Mr. Secretary Dundas having replied to every part of the debate, as brought on by the Hon. Mover and Second, declared that he felt it his duty not merely to give his negative to the proposition moved, nor to get rid of it by the Order of the Day: The duty incumbent on him—the gratitude that the country owed to those gallant and meritorious men, who had done such brilliant services as had merited and received the unanimous thanks which that House had already come to, pointed out the necessity of doing something further. His intention, therefore, was to move two resolutions,

lutions,

lutions, the substance of which he would state. The first was, "That the inhabitants of Martinique had not availed themselves of the terms held out to them by the proclamation dated 1st January 1794, and there was no general rule founded on the law of nations respecting private property, which entitled them to the advantages therein offered, after the resistance they had given to his Majesty's forces." The second was, "That the two proclamations of the 10th and 20th of May 1794, never having been acted upon, could not come before the House for their decision; and that the House most cordially agreed on again expressing their thanks to Sir Charles Grey and Sir John Jervis, in the same terms that their vote of thanks had been recorded on the Journals of the House on the 10th of May last year." Having stated the proposition he meant to bring forward, and his reasons for so doing, he must, in order to get rid of the motion, first move the previous question.

Sir W. Scott seconded the previous question. He objected to the original motion on the impropriety of the House coming to any abstract declaration on the law of nations; disapproving of proclamations without specifying the principles supposed to be untenable; or expressing any opinion upon things depending in the competent courts, where no strong public interest called for such expression of opinion. The law of nations, he said, had provisions to regulate the mode of war or self-defence. The rights of war were of a delicate nature, depended on particular circumstances, and must bend to those circumstances, and be directed by the wisdom of the Executive Government.—General principles were laid down in a strong manner by writers; but it was on Government we were to rely for a prudent application of them. The rights of war were harsh, but yet were rights that existed; happy would it be if the state of humanity, in that respect, was altered, and war existed no longer—but this was a point more desirable than attainable; for war must be carried on, and being so, must proceed according to its nature. It was not possible to make an innoxious or a peaceable war: The very intent of war being, to compel people, by a sense of suffering, to do what otherwise they would not do. To say that war could exist without suffering, was to refer to something of a different nature.

The general principle of the law of nations, was to make the private property of the individuals, subjects of the hostile countries, amenable to the rights of war; and its effect was to make every man that was the subject of one state in hostility, the enemy of every subject of the other. The property of every individual in the state composed the property of the state

state itself, and was amenable to the rights of war. This, he said, was the law of nations as it existed—sorry should he be if it was to be enforced rigorously; but if the House were to come to a decision on the point, they must necessarily come to one as harsh as that.

For the enforcing and dispensing of those laws, this country had proper courts; first, the court of Admiralty, and next, the court of Appeals. The decision of those courts was as binding as those of any courts of law; indeed more so, for the Legislature had an unlimited power over the municipal laws of the country, while its authority over the law of nations was not of such extent.

In the case of *St. Eustatius*, the same principles as those broached this night were laid down in that House by Gentlemen of the first talents: But the court of Admiralty, and the Lords Commissioners of Appeals, attended by Lord Camden and other respectable Judges, determined that the universal principle was, that the private property of individuals was subject to confiscation.

Having, with great learning and perspicuity, stated the law of nations as applicable to a state of war, and the conduct of commanders; Sir William said, to punish error or inadvertency in the application of those principles, would be to subject them to a responsibility too rigorous for any officer to incur. In the proclamations there might be expressions which, on mature consideration, and better advice than could be expected in actual service, it would be desirable to correct; but this was not the criterion by which the House would judge. They would judge by the intention and the manner in which the proclamations had been acted upon. The affidavits would not be held sufficient evidence in the courts of Admiralty for a decision in any single case; much less could he consider them as evidence for the House to found a vote upon. All the questions both of law and fact were now at issue in the proper courts, whose decision, where there appeared no public ground for the interposition of the House, was to be preferred. For these reasons he should vote for the previous question, concurring, as he did, most heartily in the proposition for referring to the testimony already given by the House to the merits and services of Sir Charles Grey and Sir John Jervis.

Mr. C. Dundas, as the strongest proof of the integrity of Sir Charles Grey, read extracts of several letters from Sir Charles to General Dundas, on the conduct to be pursued in the conquered islands. In one he said—"With respect to booty, I wish there was no such thing; I am heartily sick of it. We must take care that nothing be done to tarnish the glory of the brilliant
doings

doings by you and the brave troops."—In another, regretting the same difficulties, "That contributions, in lieu of booty, had been settled with the consent of the several islands."—And in a third, "That the advisers of violent measures ought to be listened to with great caution; that as most of their information came from Frenchmen who had been emigrants, it was to be received with caution; and that such of them as were disposed to violence might be permitted to quit the islands."

Sir William Young remarked that the proclamations contained principles directly in the teeth of the law of nations, as established by civilians. "Do as you would be done by," was in these enlightened and civilized times applicable to a state of war. The exercise of the right of conquest was limited by state use.—*Quando hostis in mea potestate est, hostis esse desinit.* It was the duty of the House, *Sir William* said, to take from an extension of the right of conquest, the weight of British authority. An army ought never to levy money for itself. The force of the proclamations, although not acted upon, was not done away by the letters from the Secretaries of State. If those letters were to be inserted by order in the Gazettes of the several islands, he should be satisfied. He concurred most heartily in recording the former testimony of the House to the merits of *Sir Charles Grey* and *Sir John Jervis*, of which none had a higher sense than he; but if it was to be laid down that resistance of invasion was to incur contributions and confiscation, what planter who had a family to take care of would take up arms to oppose the enemy?

Mr. East said, he had never heard but one character of *Sir Charles Grey*, and he was far from meaning any imputation against him or *Sir John Jervis*. But if they had been led into an error by misinformation, the House was called upon to correct that error in a stronger way than the Right Hon. Secretary of State proposed. He was therefore against the previous question.

Colonel Wood. Mr. Speaker, It is seldom, Sir, that I trouble the House or intrude myself upon your attention; but on the present occasion, when the characters of two officers are so deeply implicated, of two gentlemen who from their meritorious and important services have every claim on the gratitude and on the protection of their country, I should not feel that I had properly discharged my duty, by merely negating the proposition of the Hon. Gentleman, without at the same time stating to the House my own opinion upon the subject of the complaints which have been so industriously fabricated by the French West India planters; and which, were we to attend to, so far from answering any purpose of justice, would

be the most impolitic as well as unjust prosecutions of those two officers of which this House could be guilty.

Let Gentlemen for a moment consider the nature of the papers which have been submitted to the House, and the evidence resulting from them, on which we are called to address his Majesty to make a declaration, the tendency of which would be to condemn the conduct of two officers—for services for which they have already received the most flattering acknowledgments of this House, and which so far from being likely to answer the purpose which the West India planters contend, would, on the contrary, be holding out to the inhabitants of the French islands, that confiscations of private property had taken place, the contrary of which we know to be the fact.

The papers upon our table consist of a variety of proclamations which were issued by Sir Charles Grey and Sir John Jervis, as well as by various subordinate officers, inviting the peaceable inhabitants of the French islands to place themselves under their protection, and to accept of terms from which otherwise, by the laws of war, they would be precluded. A Mr. Malispini, one of the inhabitants of St. Pierre, in the island of Martinique, has made an affidavit, that he had been deprived of his property, and urges at the same time that he had been one of those *peaceable* good-intentioned Frenchmen, who wished well to our arms, and had had every inclination to have accepted of the terms held out by our commanders in their proclamations, but had been overawed by the mulattoes and negroes. Even allowing Mr. Malispini's evidence to be every word truth, and which, considering the evidence which oppose it, would certainly be allowing him much more than what he is entitled to; yet what does it all amount to? Not that he had actually conducted himself in such a manner as could by any possible construction give him any claim to the terms offered, but only that he would have done so, but had been prevented. I much fear that a negative sort of conduct of this sort, unless substantiated much better than what has been done by Mr. Malispini, would not on any account have entitled him to an exemption from any general contribution or compromise made with the conquerors, for not exacting those rights which the laws of war gave them. To controvert Mr. Malispini's affidavit, not only so far as regards himself, but as to the general conduct of the people of Martinique, we have not only the affidavit of General Myers, but the declaration of many other respectable officers, which prove to us beyond a doubt, that every inch of ground of the island of Martinique had been contested by the planters and

inhab-

inhabitants : That so far from having afforded, in any one respect, assistance to our troops, they had persevered in the most obstinate acts of hostility ; and that although they had frequent invitations to surrender upon terms, yet they never shewed the smallest inclination to do so : That the mulattoes and negroes, so far from having overawed the whites, were the only people who shewed the smallest disposition to be friendly, and that the white inhabitants of St. Pierre had distinguished themselves by their active and obstinate opposition.

Were any further proofs relative to their dispositions and republican principles necessary, let us remember that we have it in evidence before us, that every royalist or person in any degree attached to the English, had long ago either been compelled to fly the island and had their estates confiscated, or else had been cruelly butchered by those horrible miscreants and cannibals. Gentlemen may therefore form a pretty tolerable judgment of Mr. Malispini, and of his principles, from the state of opulence in which he was, under a rigid *Sans Culottes* government, and that he is ready at present to become a good English subject, if he can only wrest from our soldiers and sailors what they have so dearly earned.

Whether a town be inclosed by a rampart and ditch, or defended by batteries and by ravines, and commanding grounds, the distinction, in my contemplation, so far as regards the laws of war, and rights of the conqueror, is not material. In regard to the good or bad policy of exercising those rights is another question, regarding which no doubt Gentlemen will differ ; and on the present occasion it would appear that Government had differed a little from the two commanders in chief, but still the right remained the same, and cannot be disputed. On this account it would be hard indeed were officers to be liable to censure.

For my own part, so far from thinking that any part of our late disasters in the West Indies is imputable to having treated the planters at Martinique and Guadaloupe with severity, I am of totally a different opinion, and that in place of adopting those lenient and humane measures, we had governed them by rigid *Sans Culottes* discipline, removing from those islands those freebooters and vagabonds, who are the bane of every regular government, and until peace was re-established, kept up severe military law—I say, that had we adopted this line of conduct, I am of opinion that we should not only have retained Guadaloupe, but have prevented other disasters.

Let Gentlemen for a moment turn their eyes to the late horrid scenes at St. Vincent's and at Grenada, the principal instigators and actors in which are those very planters who have

been

been cherished and caressed by our Government. We may all rest assured, that however much these diabolical people may pretend attachment to this country, they all of them, from the very bottom of their souls, envy and detest us; and at the very time when they embrace and press us to their arms, like traitors, would give us a mortal stab!

If any French planter, living under the British Government, have real grievances to complain of, the courts of law in this country are open to them for redress, in the same manner against the man of highest rank as against the meanest subject. The discontents, however, of the French, are not to be found originating from any real grievance, but from that restless, diabolical, sanguinary disposition, which of late years seems to have pervaded all ranks of men, and to have totally changed the national character.

For the reasons which I have already stated, I should have preferred to have given a decided negative to the proposition of the Hon. Gentleman; but as the hour is late, and the Right Hon. Gentleman has moved the previous question, I do not wish longer to detain the House upon the subject, especially as, so far from seeing any part of the conduct of those two gallant and meritorious officers as deserving of censure, I will join most cordially in expressing, that I still continue to entertain the same sense of the importance of their services, which was so handsomely acknowledged by the House of Commons upwards of twelve months ago.

Mr. Sheridan complimented the Right Hon. Gentleman (Mr. Secretary Dundas) upon the fair and manly manner in which he had come forward in defence of gallant officers, whom it was the duty of ministers who employed them to protect. He rejoiced that the discussion had taken place. Every naval, every military man—the country, would rejoice to hear, what the discussion had shewn, that there was not a shadow of foundation for the aspersions that had been so long circulated upon the characters of Sir Charles Grey and Sir John Jervis. He meant not to say that Mr. Thellusson had been intentionally wrong, but it was evident that he had been grossly imposed upon. The proclamation of January 1794, had been argued upon as if the inhabitants of Martinico had entitled themselves to the benefit of it, although it was perfectly well known that they had not. The confiscations had been talked of as if they had amounted to the fee simple of the whole property of the islands. If Gentlemen would take the trouble of looking at the whole sum to be divided among the navy and army, they would regret the smallness of it compared with such distinguished service. It amounted to about

183,000*l.*

183,000*l.*—a captain's share to 200*l.* and much it was to be lamented that not more than a fourth or a third of them were now alive to receive that pittance.

Mr. East said a few words in explanation.

Mr. Alderman Lushington said, the amount of the actual sales was about 183,000*l.*; but the contributions went to raise a sum of 1,100,000*l.* currency, or 700,000*l.* sterling. He would console himself for the loss of the original motion, by the general admission, that the proclamations contained things very objectionable. Even what the Right Hon. Secretary of State proposed, went the length of admitting this; and the intention of the original motion was, to obtain such a disclaimer. He admitted the merits of Sir Charles Grey and Sir John Jervis; but let Gentlemen, if they pleased, erect a monument to their merits, provided the House did not vote away the honour of the country.

Mr. Fox said, he would not detain the House upon a subject that had been so fully and so ably discussed. He would have preferred meeting the original motion with a direct negative; but as the previous question had been moved, he would vote for it. He objected to the original motion, because to condemn a proclamation, without specifying the precise principles condemned, was to lead others into error, as one person might think it was condemned upon one principle, and another upon a principle very different. What he objected to still more, notwithstanding his respect for the mover, was the manner in which the motion had been introduced. To move a vote of disapprobation on the proclamation, and to enter into various allegations of facts not to be found in the papers before the House, without allowing, by a motion of inquiry, a fair opportunity of repelling those allegations, must be construed into a direct attack upon the characters of most meritorious officers, and an approbation of the calumnies circulated against them; calumnies which no man believed could stand the test of inquiry. The capture of Martinico was one of those instances of prompt decision, mixed with prudence, which characterized the military conduct of Sir Charles Grey. The latter part of the proposition which was meant to follow the previous question, he trusted, would be adopted unanimously.

Mr. Grey said, he was at a loss to know upon what evidence the contributions were said to be calculated at 700,000*l.*

Mr. Alderman Lushington said, that computing from 300,000*l.* levied upon St. Lucia, the contribution upon Martinico, an island much larger, could not be less than 700,000*l.*

Mr.

Mr. Grey said, the Hon. Gentleman knew that no such thing had been done as levying 300,000*l.* upon St. Lucia. That sum had been proposed in lieu of all prize-money, reduced to 150,000*l.* of which about 12,000*l.* had been raised and afterwards remitted. The contribution, if carried into effect, could not have been in the same proportion at Martinico, where prize of another description was brought to account for the captors.

General Smith said, he did not condemn the proclamations more than they were condemned by Gentlemen who opposed the motion, or by the officers who retracted them. Some declaration to the colonies, and to other nations, was necessary to do away the effect of this error in judgment. He denied in the strongest terms the necessity of giving booty to soldiers, in order to preserve military discipline. It was not to be expected that military men should be so well versed in the law of nations as those who made it their peculiar study. He wished the proposition intimated by the Secretary of State had been thought sufficient; but as it had not, there was no injustice in saying that it ought to be stronger.

Mr. Barham, in a short reply, exculpated himself from the supposition of any improper motive in the manner of introducing his motion; and of having had the most distant intention of reflecting upon the memory of General Dundas.

Mr. William Smith said, that the rigours of war, as they were allowed at the best to be horrors, should be construed by the latest and most lenient rule, and not by the less civilized rules of ancient and barbarous times.

The House then divided on the previous question moved on *Mr. Barham's* motion:

<i>Ayes</i>	-	-	-	67
<i>Noes</i>	-	-	-	14

Mr. Secretary Dundas then made the motions of which he had given notice. On the first, "That the inhabitants of Martinique had not availed themselves of the advantages offered by the proclamation of the 1st of January 1794, &c." the House divided,

<i>Ayes</i>	-	-	64
<i>Noes</i>	-	-	13

On his second motion—"That the proclamation of the 10th and 21st of May 1794, never having been acted upon, the House do not think it necessary to come to any declaration thereupon—but they cordially persevere in the vote of thanks unanimously passed by the House to Sir Charles Grey and Sir John Jervis, and the officers and troops under their command,

for

for the eminent and distinguished services which they rendered to their country ;”

A conversation took place.

Several Members said, that to the first part of the proposition they objected, since in their minds the proclamations were acted upon ; but to the second part of the motion, declaring their cordial acquiescence in the vote of thanks of last year, they had no objection : They wished therefore that the motions should be separated.

Mr. Secretary Dundas said, that in his mind they came properly together, since they declared in the first the reason why they came to the second. It proved that there had been an agitation upon which the House thought proper to renew the vote of thanks they had already passed ; but at the same time, if the House were of opinion that the questions should be divided, he would not resist their wish.

Sir William Young moved, that the questions should be divided at the word “thereupon ;” which was agreed to.

The first motion respecting the proclamations was then put, and the House divided :

<i>Ayes</i>	-	-	57
<i>Noes</i>	-	-	14

The question of thanks was then put, and it was carried in the affirmative, with the single dissent of *Mr. Rose, junior*, who persisted in his negative, though he expressed the veneration in which he held the characters of *Sir Charles Grey* and *Sir John Jervis* ; but thinking that the proclamations of the 10th and 21st of May were acted upon, he could not suffer the vote of thanks to pass *verine contradicente*. It passed therefore with his single negative.

PRINCE AND PRINCESS OF WALES.

The Chancellor of the Exchequer then brought in the Bill granting an annuity to the Prince and Princess of Wales, which was read a first time and ordered to be read a second time next day, and be committed on Friday.

Adjourned at half past two o'clock.

List of the Minority on Mr. Barham's Motion.

Alexander Allardyce, Esq.
Duncan Davison, Esq.
Mr. Alderman Lushington,
Charles Rose Ellis, Esq.
Paul Benfield, Esq.
George Thelluson, Esq.
Sir William Young,
George Rose, Jun. Esq.
R. P. Joddrel, Esq.
Mr. Alderman Anderson,

General Smith,
Samuel Smith, Esq.
Robert Smith, Esq.
George Smith, Esq.
E. H. East, Esq.
Mr. Alderman Curtis,
N. B. Halhed, Esq.
TELLERS.
J. T. Barham, Esq.
William Manning, Esq.

HOUSE

HOUSE OF COMMONS.

WEDNESDAY, June 3.

The Bill for the more expeditious payment of the wages, &c. of certain officers in the navy, was read a first time, and ordered to be read a second.

The House in a Committee, came to a resolution that a Bill should be brought in for allowing the importation of flax in ships navigated by foreign mariners, from any country in amity with his Majesty.

PRINCE OF WALES'S ESTABLISHMENT.

On reading the Order of the Day, for the second reading of the Bill to enable his Majesty to allow a certain income to his Royal Highness the Prince of Wales, for empowering Commissioners to allot a certain part of that income to the discharge of the debts of his Royal Highness, and for preventing the accumulation of debt in future,

Mr. Grey said, he did not wish to enter at large into the subject then; there might be another opportunity for that purpose; but as he had objected to the payment of the debts *in toto*, he could not give his vote for the second reading of the Bill, and therefore he felt it his duty to call for the sense of the House upon the business.

The House divided:

<i>Ayes</i>	-	-	50
<i>Noes</i>	-	-	19

The Bill was then read a second time, and ordered to be committed to a Committee of the whole House on Friday next.

The Bill for allowing a jointure of 50,000*l.* a year to her Royal Highness the Princess of Wales, in the event of her surviving her Royal Consort, was read a first time, and ordered to be read a second time on Friday.

Mr. Alderman Anderson brought up a Bill for protecting merchants and bankers from the depredations of their clerks. The Bill was read a first time, ordered to be read a second time on Monday next, and to be printed.

IMPERIAL LOAN.

Mr. Hobart brought up the Report of the Committee on the Emperor's Loan of six millions six hundred thousand pounds.

The Resolution was read a first time. On the question for the second reading,

Mr.

Mr. W. Smith stated his objections to the general principle of this loan. He wished the House to take this matter again into serious consideration. A great alteration in the affairs of Europe had taken place since the House first voted for this loan; so great, that he hoped the House would change its opinion as to the propriety of granting it. It had become a question whether or not we were likely to obtain an equivalent for this very large sum of money? This question seemed to him to depend very much upon two considerations: First, the probability of any co-operation on the part of the Emperor in this war: Secondly, the efficiency of that co-operation. Upon the probability of that co-operation he owned, that, considering the state of the Germanic empire, he thought that very doubtful, from the disposition which that Monarch had manifested in his rescript to the Germanic states, wherein he declares his readiness to make peace with France; and in this object he seemed to be running a race of negotiation with our late ally, the King of Prussia. He does not chuse that the King of Prussia should possess even a temporary and casual preponderance in the Empire, which will accelerate his compliance with the wishes of the confederacy. In another view of this matter it might be said, that the Emperor, apprehending that the States of the Germanic empire may make a disadvantageous peace, is endeavouring to engage them some time longer before they conclude it. What was the result of this?—Why, that he must shew to them that he is sincere, and that he does not mean to make this proposal to them for any personal considerations of his own, but that he wishes it for the good of the whole Germanic body. He would ask, what certainty had we of any co-operation at all on the part of the Emperor? There was no chance of his being able to do any thing on the northern or north-eastern frontier of France; he must therefore go to the south-east department. And as to his services as King of Hungary and Bohemia, on the southern and south-east frontier, they will be very sufficient to occupy his attention, for their distance is four times over that of Austria from the Rhine. It becomes us also to consider how vulnerable France is on that side. She is much more vulnerable from Basle to Dunkirk, than from Geneva to Nice, as has been repeatedly experienced.

During the last two centuries, her enemies have never been able to proceed further into Dauphiny than about forty miles, except twice—once when the Duke of Savoy made a great aggression, and in 1746, when he ravaged Dauphiny. But no very considerable impression has ever been made, and certainly no lasting one. Every body knows how strong the frontiers

are in that quarter, and that the French are at this time in possession of the passes of the mountains. In the last two centuries, the French have often poured down their armies into Savoy and Piedmont, and have taken the whole of the Duke of Savoy's dominions, which they afterwards restored by treaty when peace was concluded with the other hostile powers, though the Savoyards have scarcely ever been able to penetrate into France. He had almost forgotten one instance of invasion on that quarter, when Toulon was taken by Prince Eugene; but that rather went in favour of his argument than against it, because Prince Eugene raised the siege, and crossed the Var almost immediately.

Mr. Smith maintained the impossibility of the Emperor, as King of Hungary and Bohemia, doing any thing effectual after he had concluded peace as Emperor. Another thing to be considered, was the probability of the King of Sardinia continuing our ally, which was a *sine qua non* if we were to do any thing in the south, with the aid of the Emperor. It had often been said, and experience had confirmed it, that the King of Sardinia was, from his situation, almost of necessity, a perfect *Proteus* in alliances; and even so far back as Father Paul, was celebrated for a *Punica fides*. This capricious system Sardinia always pursued, and it behoves us to examine, whether this line of conduct arises from the personal character of her kings, or from the nature of her situation? Her situation is between two very powerful countries, which are repeatedly at enmity; and hence she is constantly obliged to league with the stronger. Such as her faith was therefore in 1600, such has it been ever since to the time of Charles Emanuel, when it is recorded that her King was fighting for the French, and bravely too, while he was negotiating a treaty with the Emperor; whence, notwithstanding his profound secrecy, policy, and courage, the ill success of the French was afterwards attributed to that negotiation. In 1744, or thereabouts, the King of Sardinia entered into two or three negotiations with France, Spain, and England at the same time, and afterwards preferred England, because he thereby took an annual sum of 180,000*l*. Yet, while he received this money, he entered into a separate peace with France; and in 1746, while he continued to receive our money too, made a separate treaty with Austria. Upon what ground, then, can we now expect better faith? How long are we to be answerable either for his conduct, when the French are in possession of Nice?—But there is an inclination in Sardinia to make peace with them, and upon this inclination it is impru-

prudent to run so great a risk, and on such uncertain conditions.

Again : The Emperor, in direct opposition to the tenor of his treaty with Great Britain, is about to negotiate with the French republic in his Imperial character, because he is compelled thereto by the Germanic Empire. If it be impracticable for him then to comply with one part, what assurance have we that he will comply with the other ? How may he have the ability of repayment ?—He may be engaged in another war with Prussia—He may be engaged in another war with the Turks also, and then what chance have we that he will be able to refund the money ?

Another consideration is, that if he does adhere to his treaty with Great Britain, and does not negotiate with the French republic, he most probably will be involved in a war with Prussia ; and if he is involved, will not that lessen our expectations, and may it not at last stimulate him, according to the vulgar but expressive phrase, to patch up a peace with France ?

The next point was our situation in the Mediterranean—should we be defeated there, our condition would be an alarming one. Supposing after all, that the Emperor should be induced to make peace, what security had we for the payment of any part of this loan ? Did any Gentleman imagine that then it would be even in the power of the Emperor to pay ? Thus we were going to risk four millions six hundred thousand pounds upon a chance for which no private Gentleman would give four hundred pounds of his own property. He entreated the House to consider again what they were doing.

Mr. M. Robinson opposed the motion, and took occasion to observe, that there had been a great defect somewhere in the management of our navy, into which he was of opinion an inquiry ought to be instituted.

The Speaker suggested, that the point which the Hon. Gentleman was pursuing had no reference to the question.

Mr. Fox said, that what fell from his Hon. Friend, respecting the fleet, did not appear to him to be entirely unconnected with the question, for it related to our power at a time when we were about to vote a large sum of money for a supposed increase of that force, and the more especially as the arguments urged originally in favour of the loan, turned chiefly on the benefits to be derived to us from a diversion of the force of the enemy by land, in order that we might the better continue our superiority at sea. With respect to the loan, he wished the House to consider very seriously the step they were now taking, and how totally destitute they were of any

defence of their conduct to their constituents. He alluded to a fact, which he stated when this subject was last discussed in that House. The fact he stated was not strictly correct, as he had learned by a letter since sent to him. But the difference made considerably in favour of the conclusion he drew, as to the fidelity of the Emperor, in the fulfilment of his pecuniary engagements. Money had been lent by certain religious houses, which he stated to be the property of emigrants from France; it turned out that the money was due to English convents of nuns long established, and who were the subjects of the Emperor. There was not the smallest pretext for saying that the Emperor withheld this property from his enemies. This was a fact which greatly aggravated the conduct of the Emperor. It was a breach of faith of the perfidious Emperor in money engagements, and an additional proof of the solvency, as it was called, of this bankrupt bank of Vienna. The House should consider also, that the Emperor, instead of pledging himself to pursue the war, after he receives the loan, is pretty well pledged already to discontinue it. We made that sort of engagement with him by this loan, which, if broken on his part, we had no power to enforce. It might be said that the risk was not great. We should look to the means and probability of paying. The Emperor should shew, not only that he is able and willing to pay at this moment, but he should shew over and above, that he would be able to pay after defraying the expences of his government, which must prodigiously increase if he carries on the war for another campaign.

Mr. Fox said, this differed widely from the engagement of one individual to another; in that case the sense of honour was a security, but in States the paramount consideration in the article of expence was the support of State, and what security had we that the Emperor would not prefer the interest of his government to the honour of his pecuniary engagements? Suppose him to be involved in further military difficulties, either abroad or at home, could we expect him to say, I will diminish my military force in order to pay a sum of money to Great Britain? He was not sure that the Emperor would furnish us with the two hundred thousand men merely because he said so. By the way, was there any man sure he had the means? Or were we sure that his co-operation would not cease altogether, as soon as the royal assent should be given to the Bill for the loan? Thus, after we had been deceived by Prussia, in an engagement in which we had the power to stop the issuing of our money, and which upon his failure we did stop after a great loss, we were again to enter in an engage-

ment which might cost us many millions, in which we had no power to stop. If the House should, as he believed they would, repent of this, they could not say they had not been warned.

The Chancellor of the Exchequer said, he had but a few observations to make, and those he would compress into as narrow a compass as possible.—A Right Hon. Gentleman had said, that a diversion in favour of our navy, was the only point of benefit on which the loan to the Emperor was justified—If that was the only argument, it would of itself be a good one; but he could see no connexion between the state of the navy, and the question before the House. The argument in favour of the loan, that it might create a diversion by land to France, was only one out of many which had been urged, although some Gentlemen had chosen to forget them. It must not, however, pass entirely unnoticed; for one of the great objects of this loan was, that we procured by the combination a force against the great exertions of France—exertions for which her resources were unequal; and in the next degree to our own efforts, were not those of the House of Austria the most important?

This combination might at this time, considering the present internal state of the country, be brought to bear, and to produce advantages more than tenfold superior to any that had hitherto taken place. They who considered this subject, and resisted the Austrian loan, could not be very deeply affected with the interests of the country.

As to what had been said in depreciation of Austrian fidelity in pecuniary engagements, he thought it merited little reply. It consisted of *ex parte* statements, extracted from the letters of interested individuals, and, if taken into consideration at all, should be taken with very great allowance. But what marked that statement with peculiarity was, that the Right Hon. Gentleman (Mr. Fox), when he mentioned it on a former day, had pledged himself to the House, that it was from good information; and yet that day the Right Hon. Gentleman came down and confessed, that on that subject he was misinformed.—Was a statement of this kind, so flimsily supported, to impeach the fidelity of the House of Austria?

As to the Emperor's decree respecting the non-payment of those who did not prove their emigration, it alluded entirely to his own subjects, not to those of France. When the rulers of France got possession of Flanders, and, contrary to the laws of war and peace, confiscated the property of the inhabitants, the Court of Vienna thought proper to pursue the line

line of conduct which had been followed by Great Britain, and to refuse certain religious societies of France, who were holders of Imperial securities, payment during the war. Finally, he maintained, that for good faith, no court in Europe stood higher than that of Vienna, inasmuch, that he challenged any man to shew a single instance, before the present, in which it was called in question.

It had been said the Emperor intended to make peace with the French. That suggestion, supposing it to be true, was of little weight against the expediency of the loan: For he put it to the candour of the House, to the candour of any Gentleman who understood the Germanic laws and constitution, he put it to Mr. Fox himself to say, whether there was the smallest inconsistency in the Emperor's declaring, as head of the Germanic body, his willingness to negotiate for a peace, and at the same time prosecuting the war as Grand Duke of Austria, and King of Bohemia and Hungary. If the Right Hon. Gentleman would say it was not so, he would confront him with the records of history. He might as well argue, that the King of Great Britain, as Elector of Hanover, should refuse his contingent, or necessarily embroil Great Britain in war; nay, every independent Prince of the Empire had the same power. But he would put it beyond a doubt, and allege that Austria had often been at war with France when the Empire was at peace.

Suppose the House should conclude not to give aid to the Emperor, instead of having it in his option to make peace, and being thereby enabled to make terms more advantageous, he must surrender at discretion. And after all, did the House know the terms on which his Imperial Majesty would agree to make peace? Did they know what terms France would dictate? Were they to suppose that she would ask less than the whole of the German dominions on the French side of the Rhine? And finally, did they know whether the Emperor was prepared to agree to such a demand, and thereby overturn the very basis of the constitution of Germany? He did not see any disposition in France to ask for less, and the House were to determine whether they would give strength to such a ruinous demand by refusing aid to the Emperor. Did the House consider that the Germanic body might make peace with France, and yet the Emperor have power to pass his troops? The King of Prussia himself, who was said by Gentlemen to have given the death-blow to the confederacy, in his treaty with the French, stipulated, that over Franconia there should be a free pass for the troops of either Austria or
France.

France. The House were, upon these circumstances, to determine whether they would relieve France from the pressure of two hundred thousand men hanging on their frontiers.

Mr. Fox explained the transaction of interest having been refused to be paid upon the Vienna bonds, of which he offered to produce any evidence that the Right Hon. Gentleman might require. He said, he had not expressed a doubt, whether the Emperor would be able to act at all, after having made peace as head of the Empire, but whether he would be able to act with any effect.

Mr. W. Smith said, that he had only asserted that the Emperor had never made any considerable impression on the southern frontier, so as to render it worth while to purchase his assistance in that quarter.

General Smith asked how the Right Hon. Gentleman could prove that our expectations had increased tenfold. The subject of the loan had been brought forward in December; it was then June; and were they to be told, as the ground of those increased expectations, that the campaign was about to be opened? What, he asked, had been done? The only place belonging to the Emperor in the Low Countries was besieged, and had that siege been raised? He was not to be imposed upon by assertions; he wished to come to a statement of facts. The finest appointed Austrian army that had ever taken the field, had been beat and obliged to recede; the country was not in a condition to furnish new levies. If such had been the fate of the former expedition, how could it be hoped, in the present exhausted state of the Emperor, that any fresh attempt would be successful? He would mention an important fact; he was well assured that in every Court on the continent, Great Britain was regarded with detestation, because she was considered as presenting the only obstacle to peace. It was particularly the case in the Court of Vienna; there the desire of peace was so great, that they were not even disposed to carry on the war for the recovery of the Low Countries. The greatest of all curses was a lingering and protracted war. What had been the sentiment of the country for these five or six months past? Had it not been at one time the general wish to recover from Holland the remnant of our troops? Had not the return of these diminished and mutilated squadrons been considered as a sort of triumph? He had at the commencement been an advocate and supporter of the war; he would have made any sacrifice to preserve Holland, but when that once was lost, he considered the object of the war as entirely gone.

Mr.

Mr. Hussey repeated the objections which he had made on former occasions to the terms of the loan, as a pecuniary transaction. In consequence of those terms, if the payment should, at the expiration of eighteen years, ultimately fall upon this country, an annual sum of four hundred and thirty-seven thousand pounds would be lost to the Public.

The House divided on the question, "That the Report be now read a second time?"

Ayes

60

Noes

35

Mr. Fox, in an argument, which he began the instant the division was over, commented on the prospect of the next campaign on the continent, and first he referred to those Princes of the Empire who were desirous of peace. The very object of those Princes, in making peace, would, he said, be to prevent the passage of the French or Austrian troops through their territory. Whether, then, would the Emperor, in such an event, be able so to prosecute the war, that it would be worth while for us to purchase his assistance? He adverted to what had been urged respecting the distress of France. That distress had arisen from two causes: The first, the scarcity of provisions, which was experienced in a great many other parts of Europe, and was certainly in a great measure owing to the operation of the war. That scarcity perhaps raged more severely in France than anywhere else, but had the Emperor at all contributed to that circumstance? There was another source of their distress, which was ascribable to their internal divisions. The Emperor might indeed contribute to those divisions, but it was by receding, and not by advancing against them. It had been found that every enemy of France, by relinquishing attacks, took the most effectual method to promote those divisions. Of this he was assured, not only on principle, but from the testimony of facts. They had occasion to observe the French in different stages of their revolution, and it had always been found, that exactly in proportion to the pressure upon them, their exertions had been united. He would not say that if the Emperor were to bring two hundred thousand men to the French frontier, it would have an immediate tendency to restore union and regularity in France, but it would certainly be the most likely method to produce such an effect. It had been said, that there was no prospect that an instantaneous peace would take place between France and the States of the Emperor. The great bar was removed; the French republic was virtually acknowledged; the Emperor had shewn a disposition

position to make peace, and the effect, next to that of the actual conclusion of a treaty, had already taken place. There was one more fact respecting this transaction, to which he should call the attention of the House.

The Chancellor of the Exchequer stated four months ago that the Emperor had agreed to bring two hundred thousand men into the field, if this country would aid him with a loan of four millions, in which sum were to be included the advances that had already been made. It now appeared that the four millions were to be made up over and above those advances. He wished to know if the Right Hon. Gentleman had fairly stated the transaction in the first instance; if so, the Emperor had already broke his engagement, by requiring a larger sum than had originally been stipulated.

The resolutions were then agreed to without a division, and a Bill ordered to be brought in in pursuance of the same.

WARREN HASTINGS, ESQ.

Mr. M. A. Taylor referred to the transactions that had lately taken place at the East India House, respecting an indemnification and an annuity to be granted to Warren Hastings, Esq. A sum of seventy-one thousand pounds had been already voted him, as law charges, which, it was stated, was not to be submitted to the Board of Controul. An annuity of five thousand pounds was proposed to be granted; but this, it was said, must be done in concurrence with that Board. He wished to know from the Right Hon. Gentleman at the head of the Board of Controul, whether that Board had no power over the disposal of so large a sum as seventy-one thousand and eighty pounds. If so, it was indeed a most serious consideration; as it was only to that Board they could look for responsibility; he should think himself bound to bring forward the subject to the House, but disclaimed all motives of personal pique and malevolence.

Mr. Secretary Dundas said, the case had never before occurred; he would state the Act as well as he could from memory, and leave the Hon. Gentleman himself to draw the conclusion. By the Act of 1793, regulating the Company's affairs, there were two distinct subjects of appropriation—First, the revenue of India; and secondly, the produce of the sales at home. From the first were to be paid the military charges, the debts, the civil charges, the boards of trade, and the transmission of fifty thousand pounds transferred to Britain to answer India bonds. This was to be paid from the revenues of India. Then the surplus to be under the direction of the Court of Directors and Board of Controul. At

home the public charges of the Company, the discharges of the bills from India, the five hundred thousand pounds to the Public—this was from the produce of the sales. The question then was, whether it came under any of these descriptions. The sum of seventy-one thousand and eighty pounds alluded to by the Hon. Gentleman, could only come under the description of the expences, out-goings, and charges of the Company at home. By the express regulations of the Act, the Court of Proprietors had not power to dispose of a single sixpence, and he thought that the Court of Directors would pause and hesitate before they gave an order for any such sum, under the description of law charges.

DUTCHY OF CORNWALL.

General Smith, after stating that during the minority of the Prince of Wales, the revenue of the Dutchy of Cornwall had been applied in aid of the civil list, and expressing his sense of the hardship with which the Prince had been treated in the late discussion, moved, "That an humble address should be presented to his Majesty, that his Majesty would be graciously pleased to give directions, that there be laid on the table an account of the proceeds of the Dutchy of Cornwall from the birth of the Prince of Wales, till such time as his Royal Highness came into receipt of the income."

A long and desultory conversation took place; the result was, that the motion should be withdrawn, in order to be brought forward on Friday.

The other Orders of the Day were deferred till Friday.

On the question being put, that the Dead Body Bill should be read a second time,

Mr. Mainwaring said, that the treatment which this Bill had experienced from the House on various former occasions, would, he trusted, have damped the ardour of its supporters.

Mr. Fiddrell. "I am surprised that the Hon. Gentleman should insinuate that any thing that has occurred, should have damped the ardour of the supporters of this Bill—Sir—

Mr. Mainwaring. "Mr. Speaker, I move, that the House be counted."

There being only about twenty Members present, the House adjourned till Friday.

HOUSE

HOUSE OF LORDS.

FRIDAY, *June 5.*

The Earl of Lauderdale rose to call the attention of their Lordships to the subject of which he had given notice. His Lordship apologised to the House for the delay that had occurred, but which had, he said, been unavoidable; that delay however carried this consolation with it, that many new facts had occurred in the mean time, and their Lordships had been afforded an opportunity to reflect upon their consequences, and had been enabled to consider the situation in which we stood relatively to the rest of Europe. He had so often intruded on their Lordships' patience, that it was his intention that day to take up as little of the time of the House, as would serve for him to state the observations he had to submit to their Lordships' decision. He did not mean to refer to any of those former discussions on the subject of the war, respecting which there had been a considerable difference of opinion; nor did he wish, by any seeming asperity, to provoke warmth, or excite ill humour; his anxious desire was, that the question should be debated temperately, and with a calmness equal to its importance, being satisfied that, upon a due consideration of it, their Lordships would find it to be one of the most important questions that could possibly be brought before them. Whatever opinion might have been entertained of the determination of that House, with regard to motions that had been made on the war, there were some recent events, especially the peace concluded with France by the King of Prussia, which justified him in calling now for a different determination.—Upon some points their Lordships might say that their minds had been made up, and he well knew, that particularly in politics *salvos* for men's minds were easily found, and that party attachments and feeling often made individuals think it right to support a measure, which they did not in their own minds wholly approve; but every one of them must feel, that there were other points whereon it was impossible for them to find a *salvo* by which they could satisfy their consciences, if they did not come to some new determination with regard to the present war. It then remained for them to examine our situation at this moment, and to see whether they could continue the same sort of conduct as they had hitherto observed, consistently with justice to that House, to this country, and to posterity: They should therefore now come forward, and declare their sentiments. If they examined the present situation of this country,

and the condition of our allies, he would venture to say, without quarrelling with any of their former decisions, that their Lordships must find it to be their duty to come to some specific proposition at this time, that would alter the nature of what they had already declared to be their opinion. In this there would not be any blame to be attached to their Lordships, because they were controuled by unavoidable events. It was needless for him to say much to impress this idea upon the House. He should desire their Lordships to look at the situation of this country two years ago in point of alliance, connexion, and supposed prospect of success, and look at it at this time. His Lordship took a view of our situation both externally and internally, to enforce the necessity of the House coming to a determination, that might tend to remove some of the difficulties under which we laboured in this war. It had been the boast of every one in Government, that they had made the most sanguine predictions of success; yet what was it that was the result of all their expectations? Nothing but losses, defeats, and disasters.—Though he felt proud of the resources of this country, still he regretted that they should be called forth on every trivial occasion. He observed, that even the expence of this war would, if long continued, be the ruin of the nation, for there was not now any one of the allies of the whole confederacy against France, who was not subsidized by us, and must not be eventually in the pay of Great Britain, except the kingdom of Spain, and how long it would be before that might become so, he could not take upon him to declare; but he believed we had but little to expect from that quarter. The loan of the Emperor must certainly be considered in the nature of a subsidy. The Emperor was said to have a great military force; he however thought it became their Lordships, before they proceeded much further, to consider whether his Imperial Majesty had a great military force, or, which was still more important, the power to exert it; and if he had, what inclination he had to do so; or, in other words, to examine whether the Emperor was willing, or actually able, to realize our expectations. His Lordship took a view of the conduct of the Emperor during the last campaign, from which he argued that we had but little to expect in future from the exertions of that Monarch. A Noble Duke, whom as he was absent he would name—the Duke of Richmond—had stated, that the Austrian army could not be prevailed on to stop but for twenty-four hours, to assist in saving the baggage and provisions of the English troops in their retreat; hence it might be concluded what little confidence ought to be placed in a faithful co-operation on their part. He reminded their Lordships of the memorials of the
Emperor

Emperor to his subjects of the Netherlands and of the Upper Rhine, when he was obliged to beg of them for aid, which was a manifest proof that all his resources were exhausted; at least this was the opinion of the merchants of London, who, in general, are pretty good judges of money negotiations; they had actually refused to lend the Emperor any money on the tender of a former loan on the same terms precisely as the present, nor would they in this instance have advanced it, if the Parliament of Great Britain had not guaranteed the payment. Had they thought the Emperor was able and willing to pay, they would have been ready enough to lend their money on the terms he offered to them before. An instance of this readiness in the London merchants to lend their money, when the terms were advantageous, occurred in the administration of Sir Robert Walpole, who brought a Bill into Parliament to restrain and check an eagerness to advance money to the Emperors of Germany, which threatened to be productive of dangerous consequences to this country; the London merchants nevertheless actually did advance their money, even although the Attorney General expressly declared it to be against law. He entreated their Lordships to examine the treaty between the King of Prussia and the French, and by it they would see that the King guarantees that no troops shall pass through his territories against France; by this it would be impossible for the Emperor, as King of Bohemia, to march his troops against France. Recollecting that we had lost Holland, and recollecting the situation of affairs on the continent, the idea of any great force being brought by the Emperor against France was so ridiculous, that it appeared to him to be a waste of time to argue the matter. But if the Emperor had the power, how stood his inclination? This question his rescript would explain, the rescript delivered at the Diet at Ratisbon, and signed, as report said, on the very same day that he signed the treaty with us at Vienna. It might be said, that the Emperor, as Emperor, might be at peace with France, but as King of Hungary and Bohemia he might still be at war; that is, the Emperor of Germany would be at war with the King of Bohemia. Nothing could, in the nature of things, be more evidently absurd than such an idea, especially when it was recollected that this war was not for the acquisition of territory, but a war continued, to use the words of ministers themselves, because France cannot maintain the accustomed relations of peace and amity with other nations. To say, therefore, that the Emperor would continue hostilities against France as King of Bohemia, after he had acknowledged that he was ready to negotiate with them, and was now actually doing it, was so ridiculous that he could hardly

hardly think any one in earnest when he advanced it. If the Emperor, as a member of the Germanic body, could make peace, this would directly contradict the assertion; for thus he would enjoy the advantages of peace as Emperor of Germany, and remain our ally as King of Bohemia. By a parity of reasoning, every Lord in that House who had two titles, might as well contend that he could give two votes on any occasion, diametrically opposite to each other. It was just as absurd as to say that any Member of that House could vote for peace as a Baron, and for war as an Earl; a thing contradictory to the common sense of mankind, and were it not for the serious mischief it might occasion, would dispose us to laughter. It reminded him of a passage in a tragedy represented in a celebrated farce, which had no doubt entertained all their Lordships at one time or another—he meant *The Critic*—where Tilburina, the heroine, is interceding with the Governor her father, in behalf of her Spanish lover Don Whiskerandos, she says,

“ Can you resist the daughter and the suppliant ? ”

The Governor, with a mixed emotion and great dignity, replies,

“ The father’s soften’d, but the Governor’s resolv’d.”

On which the persons before whom the tragedy is represented to be rehearsed make several witty and satirical remarks on the usefulness of that figure of speech, which enables one and the same character to speak, feel, and act for two distinct persons. It reminded him also of a passage in the speech of a most eloquent and learned Gentleman, not now in Parliament—Mr. Burke—when discussing his celebrated Bill of Reform of the Civil List and King’s Household. In one of those pleasant sallies, with which that Gentleman was enabled by his fertile fancy and sportive imagination to enliven even the most serious debate, Mr. Burke was enumerating the titles of his Majesty, such as King of England, Elector of Hanover, Prince of Wales, Duke of Cornwall, Duke of Lancaster, &c. &c. and mentioned a law-suit carried on by the King of England against the Duke of Lancaster, the event of which to the people was perfectly indifferent, because, whichever gained the suit, they were sure to pay the whole of the costs and charges on the part of the poor King of England, to the amount of sixteen thousand pounds. Just such a distinction as this was that now attempted to be made between the Emperor of Germany and the King of Bohemia: As head of the Empire he was willing to consider the French Government as capable of maintaining the accustomed relations of peace and amity; but as King of Bohemia he was to carry on the war with vigour and energy, in

order to punish the French for presuming to think themselves capable of maintaining those relations; and in the mean time the people of England were to pay millions of their money; indeed the expence was incalculable, since there was not an army in the field that was not subsidized by Great Britain, and this too after all hopes of success on our part were vanished. His Lordship mentioned the small amount in value sterling of the Roman months contributed by the Diet of Ratisbon, and said that from Sardinia we could have no hopes, nor any from Spain, in the way of active allies. With regard to Sardinia, his Lordship said, his shifting conduct in former wars might teach us, that if France would offer him a larger sum, he would probably abandon our cause and adopt theirs. As a proof that Spain could not be relied on with any prospect of essential support, her finances were completely exhausted—a fact clear beyond dispute, from the assessment of 25 per cent. on the salaries of all persons in office, down as low as those whose income was only two hundred pounds a year. The total expence of all the allies would fall on this country, and he desired their Lordships to look at the amount of it, and to see what chance we had of being indemnified for all the loss we must sustain of blood and treasure. His Lordship next adverted to the situation of the West Indies, where we had no better prospects; and said that there we could possibly gain no signal advantage, as all the men of colour, amounting to upwards of twenty thousand, were disciplined by the French, and in arms to oppose us. We ought to do what we saw our allies do, endeavour to conclude a peace on just and honourable terms, and on any other he himself would be the first to deprecate it. It might be said that there exists no Government in France with which we can treat; to which he would answer, that it would not be found in any book of authority on the law of nations that a Government acquiesced in may not be treated with; and he could give many instances of this from the history of this country. Cardinal Mazarine had, when prime minister of France, received an ambassador from Cromwell, though an usurper, at a time when he refused to treat either with Charles himself, or acknowledge his ambassador. If there was any dispute as to what is the law of nations, he would answer, it was to be understood from the practice of nations from time to time, arising out of the common sense and convenience of mankind. What objection was there to acknowledge the Government of France? Every power in Europe, except Russia, whose success, as a friend to liberty, he should deplore, had already done so. Every power, except this country; nay, even we had so far considered them capable of main-
taining

aining the accustomed relations of amity and peace, that we had condescended to negotiate with them; for we had sent Sir Frederick Eden to France, and through him proposed an exchange of prisoners. The proposition, for good reasons, was rejected; but if it were a fair question, and a question which the delicacy of the Noble Lord's situation did not forbid him to put, he might ask, what the Public were pretty generally in possession of, viz. whether the French did not give Sir Frederick Eden strong intimations, that they were ready to enter into negotiations of a far more important nature? But there was an argument which had been often used, and which perhaps would be used to-night; that if any negotiation was to take place, it should be left to ministers; to which he answered, we had seen no wish of this kind expressed by ministers, but always the contrary, and therefore he thought that Parliament ought to interfere. He was almost convinced that their Lordships were governed by the same principles as those which prevailed during the war with America. But there was less excuse for the House not interfering than at that time. In that case there was a claim, and indeed a natural claim, made on the part of this country to remain for ever sovereign of that—in his opinion an absurd and ridiculous one, but there was that claim. What was the claim to the Government of France? We had the title of their Monarch; he dared to say the French republic would not dispute about that title, nor could we flatter ourselves it gave us any right to dictate a government to France. He was confident the persons at present in the possession of the government in France, were sincere friends of moderation, and that they really felt a disposition for peace; he thought therefore that the Parliament of Great Britain should manifest a similar disposition: If we did not seize the present opportunity of doing so, we should in all probability soon be in a dreadful situation; indeed he saw nothing less than the total ruin of this country in carrying on the war. He entreated their Lordships to look at the situation of the poor, who, although they had hitherto with patience arising from their loyalty, borne their burdens without murmuring, yet it was possible to overload both their patience and ability. He had heard that this war was to support our constitution; he did not believe it, for that constitution must be a bad one indeed, which required perpetual war to preserve it, and the British constitution had always been cried up as beautiful in theory and excellent in practice. With regard to the idea, that their Lordships were bound upon a point of honour to support Administration, having so frequently voted confidence to them, and because they

they believed that Mr. Pitt was a great financier, he must observe that this was very contemptible casuistry; for they were bound in honour to do nothing that had not for its object the welfare of the state; besides, he saw no evil consequences of any kind with regard to ministers in the business which he submitted to their Lordships. Another objection might possibly be urged against his motion, and that was, that his motion, if agreed to, would hamper ministers and obstruct their capacity to effectuate an honourable and secure peace, and for no other did he profess himself an advocate. He denied the truth of such an objection altogether. The ministers had already had their future operations cramped, and their own free agency hampered extremely by the conduct of most of their allies. His motion would smooth their path and remove difficulties. Having added other arguments, all of them pointed in their manner of statement, his Lordship said, if in the course of his speech he had given way to any thing like heat, it would be imputed to his accustomed warmth in debate, and not to intention. His intention had been what he professed in his opening, to discuss the subject with coolness and temper, without offence to any, and without meaning to afford ground for indignant reply. Having said this, his Lordship declared he had only to thank the House for their indulgence, which he had trespassed upon longer than he intended: He would not add to that trespass by proceeding further, but would immediately conclude with moving the following address to his Majesty:

"That an humble Address* be presented to his Majesty, that his Majesty's dutiful and loyal subjects, the Lords Spiritual and Temporal in Parliament assembled, have, during the war in which so great a part of Europe has been involved, repeatedly given every assurance, that nothing should be wanting on their part that could contribute to that firm and effectual support which his Majesty had so much reason to expect from a brave and loyal people.

"That at the commencement of the present war this House saw, with satisfaction, 'the United Provinces protected from invasion, the Austrian Netherlands recovered and maintained, and places of considerable importance acquired on the frontiers of France†; and that whilst we concurred fully in the just and beneyolent sentiments of his Majesty's declaration graciously communicated to this House, in which his Majesty has stated,

* As the Address was published the day after the debate with notes and authorities by his Lordship, we give it in that manner, as best tending to explain the grounds of his Lordship's argument.

† See the Address of the House of Lords, in answer to the King's Speech, the 21st of January 1794.

that 'it never could be his intention to employ the influence of external force with respect to the particular forms of government to be established in an independent country *;' it was with pleasure we looked forward to that happy prospect of speedy and permanent peace, which the success of his Majesty's arms, and the wisdom and moderation of his declared intentions, seemed likely to secure. With unimpaired zeal, however, we assured his Majesty, that, 'relying with confidence on the valour and resources of the nation, and on the combined efforts of so large a part of Europe, we would, on our parts, persevere with vigour and union in our exertions †.'

"That more recently we have seen with extreme concern the rapid and alarming progress of the French arms, and heard with pain ‡, in his Majesty's most gracious Speech from the Throne at the commencement of the present sessions, the confirmation of the melancholy 'disappointments and reverses §' experienced in the course of last campaign, and since so fatally illustrated by the subversion of one of the most respectable governments in Europe,

* See the King's Declaration of the 29th of October 1793, in Debrett's State Papers, vol. i. p. 138.

† See Debrett's State Papers, vol. ii. p. 460.

‡ The following countries have been conquered by France since the commencement of the present war:

The ten provinces of Brabant, Antwerp, Mechlin, Limburg, Luxembourg, Namur, Hainault, Artois, Cambresis, and Flanders, forming the Austrian Netherlands, and formerly subject to the Emperor of Germany.

The Seven United Provinces of Holland, Zealand, Friesland, Groningen, Overijssel, Guelderland, and Utrecht, forming the Dutch nation, and formerly subject to the Stadtholder.

The Principality of Liege, with the cities of Liege and Spa, formerly subject to the Prince Bishop, as sovereign of that country.

The Bishopric of Spire, with its chief city, formerly subject to its sovereign Bishop.

The Bishopric of Worms, formerly subject to its sovereign Bishop.

The Duchy of Deux Ponts, formerly subject to the Elector Palatine.

All the Electorate of Treves, on the south side of the Rhine, with the chief city of the Electorate, and the city of Coblenz.

All the Electorate of Cologne, on the south of the Rhine, with its chief city.

The chief part of the Electorate of Mentz, on the south of the Rhine.

All the dominions of the Elector Palatine on the south of the Rhine.

The Duchy of Juliers, with its chief city, Aix-la-Chapelle, formerly subject to the Elector Palatine.

The Duchy of Cleves, with the city of Cleves, formerly subject to the King of Prussia.

In the South, the Duchy of Savoy, with its chief city Chambery, formerly subject to the King of Sardinia.

The city and Count of Nice, formerly subject to the same.

The Principality of Monaco, formerly subject to its sovereign Prince.

From Spain, the greatest part of their rich provinces of Biscay and Catalonia, with their important garrisons, cities, and frontiers.

§ See the King's Speech, Dec. 30, 1794.

the ancient, the natural, and the most important ally of Great Britain*. With unrelaxed energy, however, we declared "our cordial support of such measures as his Majesty in his wisdom should think necessary," and at an early period of this session resolved,

"That under the present circumstances this House feels itself called upon to declare its determination firmly and steadily to support his Majesty in the vigorous prosecution of the present just and necessary war, as affording at this time the only reasonable expectation of permanent security and peace to this country; and that for the attainment of these objects this House relies with equal confidence on his Majesty's intention to employ vigorously the force and resources of the country in support of its essential interests; and on the desire uniformly manifested by his Majesty to effect a pacification, on just and honourable grounds, with any government in France, under whatever form, which shall appear capable of maintaining the accustomed relations of peace and amity with other countries†."

* *Extract from the Register of the Resolutions of their High Mightinesses the States General of the United Provinces.*

Monday, February 16, 1795.

"After a preliminary deliberation, it is found good and intended to resolve by these presents, that a commission of the assembly of their High Mightinesses shall be appointed to make known to the representatives of the French people at the Hague the resolution this day entered into with respect to recognising the supreme power of the people of the Low Countries, the declaration of the rights of men and citizens, and the abolition of the Stadtholderate, as well as of the dignities of Captain and Admiral-General in all their relations, and the discharge from the oath on the *soi-disant* constitution, by delivering to them a declaratory act in which the points aforesaid are detailed; to constitute this commission, the citizens Van Haerfolt, Lestevenon, Forsten, Van Citters, Stirk, Van Lierschoten, Scuylenberg, Van Pallande, and the register Quarles are required and charged with the further requisition, to make known on this occasion to the representatives aforesaid the ardent desire of their High Mightinesses, and of the people who love the rights and liberties of the United Provinces, to form a solid confirmation between the two nations, as two republics equal and independent, and to conclude an alliance upon conditions reasonable and equally advantageous on both sides, in order that in this manner may be laid the foundation so much wished for of the strictest fraternity between two nations yet mentioned in the history of the human race, of which fraternity the certain consequences may be very well calculated and foreseen, as being extremely salutary both for the French and Dutch people, and for the advancement and consummation of a general peace in Europe.

"The register Quarles being required to communicate to the representatives of the French people, that the commission aforesaid will take place on Wednesday next, at one o'clock in the afternoon.

Compared with the original.

(A true copy.)

"J. G. H. HAHN.

"H. QUARLES."

† See the amendment on the Duke of Bedford's motion, the 27th Jan. 1795.

"That we now, however, approach his Majesty at a moment when in the commencement of another campaign we see ourselves deserted by some of those allies on whose powerful assistance and co-operation his Majesty during the last campaign mainly relied *, and when others, to protect whose interests his Majesty originally interfered, are unfortunately thrown into the scale of our enemies †: Thinking it our bounden duty humbly to state our
con.

* On the 28th of April 1794, Lord Grenville presented to the House of Lords, and Mr. Dundas to the House of Commons, the following Message from his Majesty:

"GEORGE R.

"His Majesty has ordered copies of a treaty, which has been signed at the Hague by the Plenipotentiaries of his Majesty, and the States General of the United Provinces on the one part, and by the Plenipotentiary of the King of Prussia on the other part; and likewise of a convention agreed upon between the respective Plenipotentiaries of his Majesty and the States General, to be laid before the House: And his Majesty, relying on the zealous and affectionate support of his faithful Commons, in the vigorous prosecution of the war in which he is engaged, recommends it to this House to consider of making provision towards enabling his Majesty to fulfil the engagements which his Majesty has entered into, as well as to defray any extraordinary expences which may be incurred for the service of the present year, and to take such measures as the exigency of affairs may require.

"G. R."

On the 30th of April it was moved in the House of Commons in a Committee of the whole House,

"That it is the opinion of this Committee, that a sum not exceeding two millions five hundred thousand pounds be granted to his Majesty for the service of the year 1794, to enable his Majesty to make good his engagement with his Majesty the King of Prussia, to be raised by way of loan on Exchequer Bills, &c."

Mr. Fox moved in amendment, to insert the sum of 1,750,000*l.* instead of the sum of 2,500,000*l.*, which was negatived by 134 against 33. The original motion was then put and carried.

† *Extract of a Treaty of Alliance, offensive and defensive, concluded between the Republic of France and the Republic of the United Provinces, Hague, May 12, 1795.*

"Art. I. The republic of France acknowledges and guarantees the independence of the republic of the United Provinces, as also the abolition of the Stadtholdership.

"II. There shall be a lasting peace, amity, and good understanding, between the two republics.

"III. There shall also be an alliance, offensive and defensive, against all the enemies of the respective republics, during the present war.

"IV. There shall also be a lasting alliance, offensive and defensive, against Great Britain.

"V. No treaty shall be entered into with Great Britain, without the consent of the two republics.

"VI. The French republic shall make no peace whatever with any power, without comprising in it the republic of the United Provinces.

"VII. The republic of the United Provinces shall furnish for the present campaign 12 ships of the line and 18 frigates, for the North Sea and the Baltic.

"VIII.

conviction that it is the general opinion of his people, that no probable advantages to be obtained by continuing the war with the present state of his Majesty's affairs, will bear the slightest comparison with the solid benefit likely to accrue from an immediate negotiation for peace *.

"That without entering into a painful enumeration of domestic distresses, which, as they early called forth the salutary and healing interposition of the Legislature †, cannot have escaped his Majesty's paternal attention; or without minutely detailing the difficulties which embarrass ‡ every state in Europe that now remains in alliance with his Majesty, we trust that the mere

"VIII. The republic of the United Provinces shall furnish for the present campaign half the number of the troops which the republic shall have on foot.

"IX. All the forces employed in actual service shall be under the command of French Generals. The arrangements for the campaign shall be made in concert. The States General may send a deputy, who shall sit and have a deliberate voice in the Committee of Public Safety at Paris.

"XX. As an indemnification for the expences of the war, the republic of the United Provinces shall pay to the republic of France one hundred millions of livres, either in specie or in bills upon foreign powers, as shall be agreed upon."

* The following important places have, in the course of the present session, petitioned the House of Commons against the war:

Hull,	Norwich,	Salisbury,	Dundee,
Carlisle,	York City,	Durham City,	Colechester,
London,	Southwark,	Liverpool,	Dumfermline.
Southampton,	Manchester,	Workington,	

† See the Commercial Credit Bill.

‡ *Extract from the Exhortation of the Prince de Sax Cobourg, dated Fearon le Compte, July 30, 1794.*

"Rise, then, German brothers and friends! on you will depend the making it possible for your deliverers to live or die for your defence. I myself, a German Prince, full of solicitude, not less for the safety of my country than the preservation of my warriors, call upon you. Procure us subsistence, bring us provisions from your magazines. Think that in forwarding to us these painful succours, you secure, at the same time, your approaching harvest. Share with us your savings. To obtain what we want, employ the treasures of your churches: Give your utensils and vases of silver to the Emperor, for the pay of your defenders. You will receive receipts for the payment in due form, and you will be paid interest for the pecuniary aids you have thus procured. Replace the resources of Belgium, which have been cut off from us, and now flow for our enemies. Nurse and relieve, with a solicitude full of charity, our sick and wounded."

This exhortation, we find, did not produce its desired effect, for, in his Majesty's Message on the Austrian loan, it is stated, that some temporary advance which his Majesty was induced to make for the immediate supply of the Austrian army, under the pressure of unforeseen circumstances, in the latter part of the last campaign, will be included in any arrangement.

mere suggestion of these important considerations will induce his Majesty speedily to use every honourable and expedient means for restoring the necessary blessings of peace.

“ That

Substance of a Decree of the Imperial Court, dated Vienna, August 13, 1794, and presented soon afterwards to the Diet at Ratibon.

“ Unfortunately, since the month of last January, the necessity of increasing the forces of the Empire is become most urgent.

“ The war, on the part of the enemy, from the violent measures taken by the ruling party in France, and from the formidable superiority of numbers of their armies, having taken the appearance of the most obstinate offensive war, renders even the defensive operation of the combined powers not only painful and difficult, but requires an extraordinary exertion, combination, and union of power, to resist the destructive enterprises of enthusiastic hordes, encouraged by various and alarming successes; which exertion and extraordinary efforts, on our side, are the more pressing, and require the speedier to be put into execution, as there is no time to be lost, lest the evil should rise to a degree which would render the united forces of the Empire insufficient to stop its progress.

“ The country being in danger, ought to sound the alarm-bell throughout the German Empire. The measure of a quintuple contingent cannot but be an afflicting effort for the paternal heart of your Imperial Sovereign. His Majesty, however, hopes that such a measure, considering the present urgent circumstance and the population of the German Empire, will not be looked upon as extravagant. *The Emperor thinks it almost unnecessary further to declare, that, on account of the sacrifices made during the three last obstinate campaigns in men and money, that his Majesty, without the co-operation of the states of the Empire, is totally incapable by himself to continue the protection of the Empire, his domestic resources being entirely exhausted, by having already strained all the political nerves of his hereditary dominions, for the defence and protection of the Empire.*”

Extracts from the Memorial of the Imperial Minister Count Schlick, to the Assembly of the Circle of the Upper Rhine, presented on the 16th of August 1794.

“ The putting on foot such numerous armies; the great expence of maintaining them with the current coin of the Empire, the events of the war which have succeeded each other with such rapidity and changes of fortune, have required immense sums which it was necessary to send from the hereditary states into foreign provinces; and to supply this his Majesty has sacrificed with an unexampled generosity, his own revenues, the voluntary subsidies of his faithful subjects, and his individual abilities.

“ The spiritual and temporal communities of the superior and lower classes are still possessed of treasures which remain untouched, but which might be beneficially applied. The people of property of every description have a credit, which they ought to lend to raise great sums of money to complete that which the House of Austria, after such an immense influx of money into the Empire, only drawn from its own hereditary dominions, is no longer able to afford by itself.”

His Majesty's message to the two Houses of Parliament accordingly states,

That his Majesty thinks it proper to acquaint his House of Parliament that he has received from the Emperor strong assurances of a disposition to make the greatest exertions for the common cause in the course of the next campaign;

"That it is with pleasure and satisfaction we reflect, that a negotiation so desirable in itself cannot be deemed inconsistent with any of those rules of

campaign; but it is represented, on the part of his Imperial Majesty, that their efforts cannot be made without the assistance of a loan, which his Imperial Majesty is desirous of raising on the credit of the revenues of his hereditary dominions, under the guarantee of his Majesty with the concurrence of Parliament.

With regard to our other German allies, Parliament has this year voted

To the Elector of Hanover	£ 495,655
- - Landgrave of Hesse Cassel	333,253
- - - - Hesse Darmstadt	76,076
And to the Duke of Brunswick	92,242

The King of Sardinia receives annually, by treaty 200,000

The reduced situation of Spain may be collected from the nature of the resources it had recourse to even during the last campaign.

Extract from the Madrid Gazette, Sept. 2nd, 1794.

"The various events of war having, since the commencement of this second campaign, occasioned great expences and losses which could not be foreseen when the calculation of the necessary funds to conduct it were made in the outset, and it having become indispensable to seek new means to secure the interest, and the considerable capital which will be wanted to provide with the same exactness as heretofore for the subsistence and maintenance of the armies and the fleet, my paternal feelings do not permit me to burden afresh the poorer part of my subjects, who, on account of their great number, contribute in a larger proportion to the exigencies of the state, and at the same time, with immense hazards and fatigues, expose their persons for the defence of all. I have thought justice and equity required, that the more easy classes—the most affluent, and those who receive more immediate benefits from the government—should contribute with its property towards the expence: Upon this principle, and by the unanimous opinion of my council of state, among other things I have resolved, that, from the first of the ensuing month of September, a deduction shall be made in the respective pay offices, from all salaries, pensions, grants, or other assignments, enjoyed by the persons employed in my royal service, be it in what department soever (the military alone excepted), either in Spain or in the Indies, of 4 per cent. on their gross amount, provided it exceeds 800 ducados (about £ 160) per ann. and that the same be also deducted from the military enjoying the rank of marshal de camp inclusively, who are not in the actual service, observing that the exception I grant to the other officers of my army and navy, not serving the campaign, extends merely to their pay according to rank, and not the pensions, salaries, or other grants they may have in any other, even should it be of a military nature; and the amount of all such deductions to continue not longer than two years after the termination of this war, shall be paid from the respective offices into my chief treasury. And moreover, my counsellors of state having represented to me with the most ardent and patriotic zeal, that the deduction in their salaries might be 25 per cent. since, convinced of the justice and necessity of the war, they were ready to make not only such a sacrifice, but to extend it even to their lives and fortunes; I have thought expedient to accept of their loyal and gracious offer; and in consequence, the deduction of 25 per cent. shall be made from the salary of every individual counsellor of state, upon the same terms, and under the same restrictions and direction as the deduction of 4 per cent. aforementioned from the salaries of all other placemen and pensioners."

The

of the law of nations, which the wisdom of ages and the common consent of mankind have consecrated as the leading principles of national intercourse. For 'every nation which governs itself, under what form soever, without any dependence on foreign power, is a sovereign state*, and the existence of government acquiesced in by the people under its controul, is the only feature in the condition of a country to which foreign powers, for the purpose of discovering a capacity of negotiation, ought to direct their attention, there being no form of government which has not shewn itself capable of maintaining the accustomed relations of peace and amity with other countries †.

" That

The clergy in clerical courts are largely taxed by consent of his Holiness the Pope.

The military orders, national as well as foreign, are taxed 8 per cent. on all their incomes in money, and 12 per cent. on all incomes in kind, by an order dated 4th February 1795.

Paper dollars have been issued to an immense amount.

* Vattel.

† We find it stated by a modern author of received authority, that the same power who has a right of making war, of declaring it, or directing its operations, has naturally that of making and concluding a treaty of peace: These two powers are connected together, and the latter naturally follows the former. He elsewhere states, that a right of embassy (which undoubtedly implies a capacity to negotiate) is incident to the existence of a *sovereign state*. And in another remarkable passage it is laid down, that foreign nations may receive ambassadors and other ministers, even from an usurper, and send such ministers to him. The doctrine is asserted by the author in the following clear and explicit terms:

" Before I close this chapter, it will be proper to examine a question, famous for being often debated, whether foreign nations may receive ambassadors and other ministers of an usurper, and send such ministers to him. Here foreign powers, if the advantage of their affairs invites them to it, follow possession; there is no rule more certain, or more agreeable to the law of nations and the independency of them. As foreigners have no right to interfere in the domestic concerns of a people, they are not obliged to canvass and inspect its economy in those particulars, or to weigh either the justice or injustice of them. They may, if they think proper, suppose the right to be annexed to the possession. When a nation has expelled its sovereign, the other powers, which are not willing to declare against it, and would not draw on themselves its arms or enmity, consider that nation as a free and sovereign state, without taking on themselves to determine whether it has acted justly in withdrawing from the allegiance of subjects and dethroning the prince. Cardinal Mazarine received Lockhart, who had been sent as ambassador from the republic of England, and would neither see King Charles the Second nor his ministers. If a nation, after driving out its prince, submits to another, or changes the order of succession, and acknowledges a sovereign to the prejudice of the natural and appointed heir, foreign powers may here likewise consider what has been done as legal—it is no quarrel or business of theirs. At the beginning of the last century, Charles, Duke of Sudermania, having obtained the crown of Sweden, to the prejudice of Sigismund, King of Poland, his nephew, was soon acknowledged by most sovereigns. *Villeroy*, minister of Henry the Fourth, King of France, at that court, in a memoir of the 8th of April 1608, plainly said to the

"That if doubt should any where exist on this subject, as the law of nations itself is a rule of action growing out of the common consent of independent states, it cannot fail to be removed by the acquiescence in these doctrines of so considerable a number of those powers, whose united authority forms the only competent tribunal in questions of such universal importance to the rights of nations.

"We cannot therefore reflect on the intercourse maintained by France with the United States of America, as well as with the neutral powers of Europe during the whole of the present war*; on the treaties lately concluded with the Duke of Tuscany, the King of Prussia, and the provisional government of Holland; on the negotiations that have been carried on by Spain, and on the strong declarations of desire to negotiate, recently made by his Majesty's intimate ally, the Emperor, as head of the Germanic

the president Jeanin, *All these reasons and considerations shall not hinder the King from treating with Charles, if he finds it to his interest, and that of his kingdom.*"

VATTEL, b. iv. c. 2.

* *Extract of an Answer from the Republic of Genoa to the Official Note from the Emperor, dated February 1794.*

"That at present the republic was most grievously oppressed by the British navy; that there was no probability of the French committing any violation of territory against the republic, *because that nation had always more particularly respected the neutrality of Genoa than the combined powers*; and that above all, the republic of Genoa was determined to persevere in the observance of the strictest neutrality."

Extract from Counter-Declaration of the Court of Denmark, in Reply to the Memorial delivered by the British Minister.

"The nation (meaning France) is true, and the authority which it acknowledges is that to which application is made in cases concerning individuals. The commercial connexions subsist likewise in the same manner as they did between England and France, as long as the latter chose to preserve peace. The nation has not ceased to acknowledge her treaties with us, at least she conforms herself agreeable to those treaties. As she appeals to them, so do we appeal to them—and frequently with good success, both for ourselves, and even in favour of those subjects of the belligerent powers who commit their effects to the protection of our flag. In case of refusal and delay, we have frequently been obliged to hear often and reluctantly, that they only used to make reprisals, since the nations with whom they were at war, shewed as little regard to their treaties with us; and thus the neutral flag becomes the victim of errors which it cannot reproach itself with. *The path of justice still continues open in France.*"

Extract from the Edict of the Grand Duke of Tuscany, issued in March 1795, announcing the Peace with France.

"Whilst his Royal Highness enjoyed the satisfaction of seeing that Tuscany, superior, as it were, to the occurrences of the times, rested peaceful and quiet on that neutrality, *which was constantly respected by the French republic*, he found himself involved in those unpleasant transactions, which are already known to all Europe."

body*, and seriously maintain a doubt of that capacity to negotiate which so many powerful and independent states have acknowledged, and to whose decision his Majesty has added the acquiescence, and in a manner the authority of this country by a late mission to the continent to negotiate an exchange of prisoners. For we humbly conceive that a nation cannot absolutely be thought incapable of maintaining the accustomed relations of peace and amity, which is treated with, as capable of preserving and performing the stipulations which may be entered into for the humane and civilized purpose of alleviating the rigours of war †.

* *Rescript of the Emperor, presented by the Imperial Minister to the Ministers of the States of the Germanic Empire, at Ratisbon, the 4th of May 1795.*

“The ministers of his Imperial Majesty are charged to declare, in the name of his Majesty, the Emperor and King, to the envoys representing the several Princes and States of the holy Roman Empire, *that his Majesty is ready to enter into negotiations with the French republic.* His Majesty, without being too mindful of his own interest, will consult thereby the real welfare of the Empire, and make it his sole care to procure to the Empire an acceptable, solid, and permanent peace. But his Imperial Majesty has also, at the same time, the just confidence in all his co-states of the Empire, that they will co-operate with all their power, to accomplish this desirable end, and not enter into separate negotiations with the French republic. His Imperial Majesty expects, however, the speediest declarations on this subject, and the Imperial Commissioner will soon present a declaration from the Emperor and King, explanatory of the sentiments of his Imperial Majesty. In other respects, his Imperial Majesty cannot conceal, that the separate treaty of peace concluded on the part of his Prussian Majesty, even in his quality of a Prince and co-state of the Empire, has been most unexpected to him.”

† The following has been reported in conversation as the particulars of Sir Frederick Eden's mission to France:

Sir Frederick was received at Dieppe by a French Commissioner, who invited him to a conference, at which the object of the mission was explained. The Commissioner afterwards set off to Paris, inviting Sir Frederick to accompany him; an invitation which was refused by Sir Frederick, who had not received any directions to proceed thither. In due time the Commissioner returned, and informed the English Ambassador, that to an exchange of sailors on equal terms, the French Government could on no account consent; but that he was ready to treat with him with respect to any other objects. (*Of this Lord Grenville stated in debate he had no knowledge.*) Sir Frederick is said to have replied, that the French Commissioner might have spared himself the trouble of coming from Paris, and might have conveyed the determination of the French government by letter. The French Commissioner said, that he was directed to return to Dieppe, for the purpose of doing away the suspicion that had been circulated, that the French republic would not treat with a monarchy; and of declaring that *the French would treat with any country, whatever was its form of government.* At the same time he assured Sir Frederick, that, though the republic would not consent to an exchange of sailors, yet that any officers should be suffered to return to England, if Sir Frederick would make out a list of their names; and that the republic would be contented with a promise from Sir Frederick, that an equal number of French officers should be permitted to return to France.

“That

" That we humbly beg leave to assure his Majesty, that in thus anxiously recommending a speedy negotiation for peace, we do not merely contemplate the general advantages which this country always derives from a state of repose and public tranquillity. But as we have seen with grief (whilst we have been occupied in considering the capacity of the present government of France to treat) successive desertions from that general system of alliance on which his Majesty and his people chiefly grounded hopes of success, so if this reluctance to treat should continue, we cannot now help anticipating with poignant regret the eventful moment when Great Britain may be reduced to the sad alternative of either providing for the expences of all the allies, or of singly maintaining a protracted and destructive war in a cause not originally her own*, and in which this country was embarked with the assurances of the active and zealous support of almost every European power †.

" That it is with confidence we therefore trust, that his Majesty's gracious and benevolent mind will be impressed by the separate and combined effects of those powerful considerations, which we the more anxiously press upon his Majesty, as we approach his throne under a sincere and irresistible conviction, that the sense of the nation with whom his Majesty is engaged in hostilities, as well as the disposition of its present government, affords no unfavourable opportunity for negotiation ‡; and that an ardent and universal

* The grounds on which Great Britain was originally involved in the present contest have been the subject of much controversy: But it appears equally impracticable to dispute the proposition that we embarked in a cause not originally our own; whether we engaged for the purpose of protecting the States General, or united with the Austrians and Prussians in their anxious desire to restore the blessings of its ancient government to France.

† The extent of his Majesty's alliance may be learnt from a declaration to the government of Genoa by Lord Hood and Sir Gilbert Elliot, dated St. Fiorenzo, the 26th of August 1794, announcing the raising the blockade of Genoa, which concluded by declaring, " that his Majesty reserves to himself the reclamations which the interests of his subjects, and those of his allies, which consist of the greater part of Europe, and of the human race, render indispensibly necessary, respecting the future conduct of the republic."

‡ The following extracts furnish strong presumptions of the disposition of the French nation, as well as of the leading men of its government, towards peace.

Speech of Boissy D'Anglas, January 30, 1795.

" And when a part of our enemies, discouraged by our success or enlightened by our experience, seem willing to let the earth respire; when the people, indignant at the calamities with which they are overwhelmed, seem every where commanding their governments to put an end to the horrors of war; some cruel and crafty politicians would persuade them, that we alone are insensible to the cries of suffering humanity; that we alone must thirst for their blood; that no peace can with us be safe or honourable; that the continuation of the war is advantageous to them; and, finally,

universal wish for the restoration, on fair and honourable grounds, of the blessings of peace, openly avowed by many of your Majesty's allies on the continent,

this absurd contradiction, that, on the one hand, our pride and our ambition are too formidable for us to be treated with, and, on the other, that our efforts have too much exhausted us not to afford hopes of certain success by continuing the contest.

"We ought, citizens, out of respect to humanity, to expose these contradictions, reply to these calumnies, hold up the light to every eye, and unmask those machiavelian governments, which, sporting with the blood of men and the fortune of the people, aim at raising a colossal greatness on the ruin of the principal powers of Europe. We ought to convince all virtuous men that we detest war, without fearing it; that we are always ready to put a stop to its horrors, when a peace shall be offered to us consistent with our dignity, and capable of guaranteeing our safety. We ought, at the same time, to advertise the people of all nations, that, ready to negotiate with frankness, we will not suffer our arms to be paralysed or our triumphs to be suspended by negotiation, false or subtle."

Cambaceres' Speech in the Name of the Committee of Public Safety, 3d March 1795.

"Peace is the end of war; so many wars have been entered into through caprice, and continued to promote private interest, that governments have given to their subjects the full measure of their tyranny, and their perversity. It is ambition which makes kings arm; it is justice which arms the people; and where is the people who having dispatched the league of their enemies, overthrown their projects, and confounded their ambition, would refuse the most flattering of all glories, that of giving peace to the world, after having conquered it?"

"The diplomatic system of a republic is not embarrassed like that of courts. Neither rights of blood, family compacts, nor marriage interests thwart its measures. It knows no rights but those of nations; the human species is its family; and it allies itself only to the interests of the people: Its policy ought, therefore, to be simple and easy. Such will be yours.

"Penetrated with the great principles of the independence of nations, of the reciprocity, the equality of rights and of duties among political societies, those who will be charged in your name to negotiate with the states who may manifest a pacific disposition, ought to be able not only to maintain the rights and the dignity of the French people, but to assure other nations of external and internal security of our faith in treaties, and of the equity of our intentions, respecting navigation and commerce.

"You cannot be accused of perpetuating the horrors of war: You will not have to answer for the blood which may continue to flow. The republic, triumphant, prepared to fly to new triumphs, is desirous of peace; she wishes an universal peace, and such a one as for ever would assure the repose of the world."

Extract of a Declaration of the King of Prussia to the Co-estates of the Empire, relative to the Treaty of Peace he has concluded with France.

Berlin, May 1, 1795.

"All considerations on these, and many other relations, became certainly the more urgent and inviting, as at the termination of the last unsuccessful campaign, the crisis threatened on one side to reach the most dangerous

continent, pervades with equal influence the minds of your Majesty's loyal, faithful, and affectionate subjects at home *."

Lord Grenville rose to resist the motion. His Lordship began with declaring that he was willing to admit the Noble Lord's proposition, laid down both in his argument and in the address he had moved, *viz.* that a secure and honourable peace was the only one this country ought to look to and to expect; and he owned, he was happy to hear the Noble Earl declare in a decisive manner that such was his opinion. One assertion in the Noble Earl's speech, he must refuse in the most direct terms, before he proceeded to say a word about such parts of it as appeared to him to call for his observation; and

dangerous point, but on the other, there began to rise in France, from the ruins of the precipitated system of terror, a more solid government of moderation and temperance, and the wise sentiment of its being in want of peace; at this period there could be but one wish, but one longing desire in Germany.

"If after three bloody campaigns, fertile in death and devastation, the resources of the war were entirely drained, and all hopes of its further continuance with success had vanished, if it became powerfully manifest, that the Almighty hand of Providence had given to the torrent of the hostile exploits at once so decisive a turn, and that all further attempts to resist it would prove fruitless; if the enemy himself is not disinclined to embrace the offer of peace, and all hopes appear of obtaining it sooner than by an obstinate continuance of the war, did there still remain any choice? Could a wise and humane prince then wish to see the horrors of war spread still further, without measure, and to no purpose? Were not the provinces (already overwhelmed with misery) sufficiently ravaged? Was not suffering humanity bent sufficiently low?"

During the late disturbances in Paris the opinion of the leading men relative to the desire of the people for peace was strongly marked by their issuing a Proclamation (as a probable means of soothing the populace), declaring the probability of another treaty of peace being concluded with another of the leading powers of Europe.

* On the authority of the late Lord Lieutenant of Ireland, it appears, that the war is unpopular in that part of his Majesty's dominions, as he states in his letter to Lord Carlisle, that by his influence and the credit of the persons whom he had employed, &c. he had caused "a spirit of union and harmony to succeed to that general discontent and disaffection, as well against the system of the former government as against the war itself, which at the time of his arrival manifestly and avowedly pervaded the bulk of the nation."

That those at the head of the government of this country are not less versed or less practised in the little arts and managements alternately used, to bring forward or suppress the prevailing opinion of the Public according to the convenience of its existing rulers, can hardly be doubted. And it may be left with safety to a Public who have witnessed the art brought to a state of unparalleled perfection, to decide whether Mr. Pitt might not long ago have boasted with equal justice, that he had managed to suppress "that discontent against the war which manifestly and avowedly pervaded the bulk of this nation."

he

he was happy to feel that from what he had heard, there did not appear to him much reason for his intruding long upon their Lordships' patience. The assertion to which he alluded was, that we had embarked in the war in support of the cause of our allies, and not on our own account. That he peremptorily denied. British interests alone had obliged us to depart from that neutrality we had so long scrupulously observed, perhaps too long; nor had we been led to depart from it, till it became indispensibly necessary for the preservation of the national honour, in consequence of repeated instances of the most wanton and unprovoked aggression on the part of the French. The question of agreeing to the address proposed, was very different from the question of expediency of negotiation, because, if there was no good argument against attempting to negotiate, there were still many against that House coming forward at this time of all others, to regulate the conduct of the Executive Government. The question of peace and war, on which Parliament might interfere with the Executive Government, in certain cases, was clear—they had that right most undoubtedly; the question was on the exercise of that right. And a wise and prudent Parliament would neither desire to exercise, nor exercise that right without the strongest necessity. Was there any such necessity existing at present, and if there was, where were their Lordships to look for it? It was altogether uncertain whether any negotiation at this time would procure peace; it was still less likely to procure what their Lordships must desire—a safe, honourable, and lasting peace. That object, this motion, if agreed to, would prevent. He desired the House to reflect on the effect which such a motion, if carried, would have on the minds of the enemy. They would say immediately, that Great Britain was confessedly unable to carry on the war; and that it had been so expressed by Parliament. That construction, however false, would make them desirous of carrying on the war instead of wishing for peace, because they would see by such a resolution that Parliament had no hope of success. They would consequently imagine that this country, from deficiency of resources or some other cause equally cogent, must obtain peace on any terms. Those Noble Lords, who were led astray by an idea that by a negotiation peace might be procured, would, if the advice were listened to, soon have sufficient reason to lament their credulity. That peace might not be concluded, if the Executive Government were at this time to treat for it, was more than he could say; but he was not sure it would procure what he wished for, a safe, honourable, and secure peace; and he would ask if any thing could be more encouraging to the enemy, or more discouraging

couraging to the allies, than such a motion as this? It would at any time fetter and weaken, instead of strengthen the hands of Government, and put it out of the power of ministers, be they who they may, to make either peace or war. He proceeded to examine the grounds on which this motion was supported by the Noble Earl's argument. With regard to such of our allies as had made peace with France, the most prominent were the Grand Duke of Tuscany and the King of Prussia, though the Noble Earl had in the hurry of speaking forgot to notice the first. With regard to the conduct of the King of Prussia, he was far from saying that his concluding a peace with France was not an essential disadvantage to the confederacy; but he begged their Lordships to recollect that in the last debate on the subject of negotiation with France, it was unreservedly stated as a matter to be expected; and no assistance from Prussia was given credit for. The desertion of the King of Prussia from the common cause could not therefore at the present time be urged as an unexpected defalcation of the strength of the allies. As to the exhausted state of the finances of Austria, it was admitted that pecuniary assistance was wanted there; but that Austria had military force, if pecuniary aid could be obtained to give it life. On that ground expressly and avowedly Parliament were about to grant effectual aid to that power without any additional burdens on this country, and for which we were to have great and powerful military assistance, by which we were to hope for success by land, and to continue our superiority at sea. As to the rescript of the Emperor, even if it were issued in the name of the King of Hungary and Bohemia, who would say that it would procure to Europe a safe and honourable peace? To obtain this, the better way was to be prepared for a vigorous prosecution of the war. Coffee-house politicians, men little read in the law of nations, and the history of political conduct in great states, might ridicule the distinction between the declaration of the Emperor to the Diet, and the declaration of that Monarch as King of Hungary and Bohemia, which every intelligent person, capable of entertaining an opinion on such important topics, knew perfectly well; the history of almost all the wars of Europe explained it: To confound the two characters, however it might suit the conversation of such politicians as he had alluded to, would not suit their Lordships comprehensive understandings and better information; indeed a moment's reflection on the constitution of the Germanic body, would serve to explain what was from sheer ignorance deemed a mystery, not certainly by the Noble Earl, but by those who echoed such an absurd argument without doors. The grounds of the

quarrel

quarrel between the Empire and the French, and those of the other sovereign states, were very different. The Empire was the head of the body of the several states, the constituent members, each of whom might have their particular cause of quarrel, when the Empire generally found it its interest to incline to peace. Peace might, therefore, properly be made on the part of the Empire, and the other powers might continue in the war.

Whether the resolutions come to by the Diet of Ratisbon were wise, politic, or prudent, was not for him to decide upon; but the main ground of discussion at the Diet appeared to be, whether they should or should not negotiate with the French republic. Should they agree to make the Rhine the boundary of the French republic, the electors of Mentz and Treves would be deprived of their dominions, and the Empire disgraced; and would the Electoral College quietly acquiesce in losing two of its members? To conclude a peace on such grounds would totally ruin the Empire; to make the Rhine to the sea the boundary of the Empire, and give up that whole territory, the least portion of which had for two centuries past cost us so much blood and treasure.

If we except the defection of the King of Prussia, the situation of France is much more alarming. Before, therefore, we know whether the negotiation between the Empire and the French would be followed up with a treaty, or if it should, what that treaty would be, it appeared to him to be premature to say any thing upon the subject. Sure he was, that if the French retained their present possessions, the other powers of Europe would not be safe. With respect to the resources of the allies, he did not think it would be proper for him to go much into that subject then; but he thought he ought to call on the House to reflect also on the state of the resources of the enemy, respecting which the Noble Earl had not said one syllable, although they formed a striking feature in the character of the times; and particularly the circumstances which had lately happened in the internal condition of France. He laid no stress for the present on the accession of Russia to the confederacy; he only wished to call their Lordships attention to the condition of France, since his argument rendered a comparison absolutely necessary. The distress of France was greater at present than the most sanguine calculation of any man had ever predicted. Assignats, for instance, which when he last mentioned their value, two or three months ago, were at the discount of seventy per cent. that was, one hundred pounds of their paper was worth thirty pounds; at this time they were at ninety-five per cent. discount,

count, which was only five pounds value for one hundred pounds paper currency, as for every five pounds they borrowed, they were obliged to issue one hundred pounds in assignats; and this was a distress which unfortunately, from the nature of its cause, must every hour increase, in proportion to the wants of government, because, as it became necessary to make fresh issues of assignats, their value proportionably decreased. Such an effect had this circumstance produced, a circumstance stated and lamented in almost every speech in the Convention on subjects of finance, that their expenditure, which three months ago was twenty-seven millions per quarter, was now twenty-seven millions a month, which was equal to the whole of our annual expenditure. All this was not matter of conjecture, but a thing admitted in the Convention itself, as he had just mentioned, not only in their speeches upon the subject, but in the decrees of their Committees at that moment.

With regard to negotiation, he had no scruple to repeat, that there must be some regular and acknowledged government in France before we should treat with the French. He had to return his thanks to the Noble Lord for having given him an opportunity of answering what he certainly should not have touched on himself; but the Noble Lord had been so kind as to relieve him from the delicacy which he should certainly have considered as a sufficient bar to allusion, to have imposed silence upon him. The Noble Earl had mentioned Sir Frederick Eden's mission to France, to negotiate for an exchange of prisoners. It was true that an attempt had been made to treat with the present government, and what had been the result? it had not only proved that the French had not a government capable of maintaining the accustomed relations of amity and peace, but that they were incapable of carrying on war like a civilized nation. Even with rebels and pirates had an exchange of prisoners, on principles of mutual convenience, been agreed to and carried into execution; and yet the French, with all their boasted pretensions to philosophy and philanthropy, had refused to agree to an exchange of prisoners, even when famine was at their door, when such numbers of our brave seamen were languishing in prison, destitute of provision, the absolute means of existence, and when the number of mouths to be fed added to the general calamity. In short, we could not treat with the French until they had a government that was not at war with other governments; a government that taught its subjects to respect the rights of other nations; and we saw, by changes of the very last week in France, that if peace were

made now with the present rulers, we should not have any security for its continuance for four and twenty hours. He thought, on a review of all the circumstances of the war, and the situation of all public affairs, that the best policy of this country was to continue the war with vigour, and therefore the motion before the House should have his direct negative.

The Earl of Guildford said, he found himself obliged to rise in order to prevent a false impression of his Noble Friend's argument from going forth, in consequence of the misrepresentations of it by the Noble Secretary of State; but he assured their Lordships he would not detain them long, but would confine what he had to say to as few words as possible. His Noble Friend had not contended that the Emperor of Germany could not act in one way for the general good of the Empire, and in a very different way for the promotion of his own individual and separate interest; they all well knew, that every man standing in the Emperor's predicament, as head of the Empire and as King of Bohemia, could act one way for the Empire, and another way for himself; but the manner and the object for which his Noble Friend had used the argument, had been, that if the Emperor, as head of the Empire, did negotiate with the French republic, he thereby acknowledged it capable of holding the accustomed relations of amity and peace, and that having so done, it would be in the highest degree absurd for him, as King of Bohemia, to contend that the French republic was incapable of holding the accustomed relations of amity and peace. The King of Great Britain might certainly be at war with France, and the Elector of Hanover at peace; but his Majesty, he was persuaded, had too much regard for the interests of England, ever to act in that inconsistent manner.

His Lordship owned he was more alarmed at what had fallen from the Noble Secretary than at any thing he had before heard, and he would much rather that his Noble Friend should not have made his motion, but that the question relative to peace had been suffered to stand on the ground on which it was left at the end of the last debate on the subject, than put into the situation in which the Noble Secretary of State had now placed it, because, from what had been said by that Noble Lord, it was clear that the despair of his Majesty's ministers carried them so far beyond all hope, that unless the Parliament interposed its authority, and compelled them to negotiate, they were determined to risk the existence of the country, in order to preserve the existence of their own administration. The Noble Secretary of State's prophecies had

all turned out to be false. From time to time they had predicted the speedy conquest of France, and all that while she had conquered province after province, and kingdom after kingdom. He wished his Majesty had better advisers, or that he had none: For if left to the affections which animate his breast, he would soon terminate a system which brought with it such devastation and horror. He lamented that a British Cabinet should now be the only obstacle to the general tranquillity of Europe, and he advised their Lordships to step forward and put a stop to proceedings which might end in the ruin of the country; for by such conduct as ministers observed, it appeared as if they were determined to proceed until the destruction of this country, or of France, is effected, and that nothing short of it would satisfy them.

Lord Mulgrave said, he rose on the same principle as his Noble Friend who had just sat down had done, *viz.* to prevent a false impression going abroad in consequence of the misrepresentation of the arguments of his Noble Friend the Secretary of State. His Noble Friend near him (*Lord Grenville*) had not argued the distinction between the Emperor as head of the Empire, and as King of Bohemia, in the manner stated by the Noble Earl, but had clearly said that it might be proper for him, under the sanction of the declared wishes for immediate peace on the part of the Diet of Ratisbon, to attempt to negotiate a peace with the republic of France, at even a greater risk and hazard than he thought it adviseable to negotiate at on his own account in his individual sovereign capacity of King of Bohemia. There surely was nothing irreconcilable or inconsistent in the Emperor's acting in that manner, and agreeable to the distinction that he had just stated. Another misrepresentation of his Noble Friend the Secretary of State's argument, as given by the Noble Earl, had been his declaration that it was now clear that nothing but the authority of Parliament could drive ministers from that mad career which their despair prompted, to risk even the existence of the country, rather than risk the existence of their own administration. Nothing that his Noble Friend the Secretary of State had said, would warrant that conclusion so hastily drawn and insisted on with so much warmth by his Noble Friend the Earl. The inference fairly warranted both by the language and conduct of ministers, on the subject of all motions of a tendency with the present, had uniformly been, that such motions, instead of accelerating peace on honourable and secure terms, which they wished as ardently as any set of men whatever, only produced embarrassment to the Executive Government, and threw additional difficulties in the way of their attaining that

desireable object : That it was not consistent with common sense or common honesty, to attempt the negotiation of peace with France, under circumstances like the present ; and that therefore, as men wishing to shew themselves men of common sense and common honesty, they would not attempt it, unless their own judgment was compelled to give way to the authoritative voice of both Houses of Parliament. His Lordship declared he was the more astonished at the sort of language held by his Noble Friend, as to the propriety of treating with France at this moment, when he considered the state of internal division and distress that the republic was at this time deeply involved in. The latest accounts proved the instability of the French government, and the different political opinions that influenced mens minds and impelled them to conduct calculated rather to spread anarchy and extend confusion, than to shew that they were impressed by one common sentiment of moderation and reason. With whom were ministers to treat in the present distractions and subdivisions of parties that characterized the French republic ? Instead of being, as they affected to call themselves, one and indivisible, they were directly the reverse. Look to their navy ; with which maritime port, Toulon, Brest, or Marseilles, were ministers to treat ? The two former ports were at variance ; the fleet in Brest Water being governed by one opinion, the fleet in Toulon harbour by another ; if they treated with either, it was indubitable that the other would be against them. His Lordship put this point very forcibly, and contended that the reason why his Majesty's ministers did not think proper to treat or negotiate for peace with the republic at present, was because they wished to conduct themselves as men of common sense and common honesty, because they thought it their duty to wait till the opportunity offered itself of negotiating such a peace as Great Britain had a right to expect at their hands, a peace that was honourable and secure, and not with any view to the existence of their own administration, or of any administration. The moment for beginning such a negotiation was not yet arrived ; when it came, his Majesty's ministers would no doubt do their duty and embrace it ; in the mean time he thought they acted wisely in resisting all such motions as the present, and therefore, as he had not meant to detain their Lordships longer than was absolutely necessary, he would conclude with declaring that he should concur with his Noble Friend the Secretary of State, and give the motion his negative.

The Earl of Lauderdale said, he must once more trouble their Lordships with a few observations in reply to what the Noble Secretary of State had been pleased to urge in answer to

his

his argument. His Noble Friend (Lord Guildford) had done him complete justice in rescuing him from the misrepresentations of the Noble Secretary. He certainly had not argued the distinction taken respecting the conduct of the Emperor, as head of the Germanic body, and in the different and distinct situation of King of Bohemia, in the way in which the Noble Secretary had appeared to understand him; he had merely contended that if the Emperor treated for peace with the republic of France, on the part of the Empire, he must necessarily be considered in that instance as admitting that the French republic was capable of maintaining the accustomed relations of amity and peace among nations; and that having so done, it would be the extreme of absurdity in him, in his character of King of Bohemia, to deny that the French republic were capable of maintaining those relations, and to continue to carry on the war on that principle. With regard to the difficulties that lay in the way of the Emperor, were he ever so much inclined to prosecute the war with additional vigour and energy, as ministers had assumed, let their Lordships only look to the Memorial of Count Schlick, the Imperial minister to the Assembly of the Circle of the Upper Rhine, in August last; and with regard to the difficulties that Spain, our other principal ally, had to encounter to carry on the war, let them refer to the Madrid Gazette of the 2d of September last, and they would there see that the counsellors of state offer a deduction in their salaries of twenty-five per cent. from a conviction that the unforeseen expence of the war requires it: He must therefore insist on it, that if we seized the opportunity of making peace at this moment, it could scarcely fail to prove successful; and if their Lordships concurred in his motion, it would convince the Convention, and the people of France, that that House, as a House of Parliament, was cordially disposed to that important object, and willing to meet the wishes for peace so anxiously expressed by almost every member who has lately spoken on the subject in the Convention.

The Noble Lord, talking of the distinct interests of the Emperor, as head of the Germanic body and as King of Bohemia, had thought proper to treat his argument on that head with a degree of contempt, and to say it might be fit for coffee-house politicians to hold; but that men accustomed to consider state affairs, and their Lordships in particular, knew better than to fill their heads with any such idle notions. He knew not where the Noble Secretary of State acquired such contemptuous opinions of the intellects of his fellow-subjects; but he had ever found men who went to coffee-houses, and had turned their attention to the consideration of politics in
any

any degree, full as competent to discuss and decide upon the distinction he had taken respecting Austria, as head of the Empire and as King of Bohemia, as the Noble Lord himself, or any of their Lordships.

In reply to what the Noble Secretary of State had said of Sir Frederick Eden's mission, that it proved that the republic of France was not only incapable of maintaining the accustomed relations of amity and peace with other nations, but that they were incapable of carrying on war like a civilized nation, the Noble Lord did not seem to be aware of the tender ground he trod on, and that when he intended to brand the French government with barbarity and want of feeling, he was in fact fixing the very stigma he meant to aim at others, deeply on the characters of himself and his colleagues in office. If it were true that the French acted inhumanely in refusing to agree to an exchange of prisoners, how much more inhumane, how much more barbarous and unfeeling had been the conduct of his Majesty's ministers, who had suffered the war to continue for two years without ever once attempting to negotiate an exchange of prisoners! The reason why the French refused to accede to the proposition of Sir Frederick Eden was obvious, and proved their prudence, and the wise policy that directed and influenced their conduct. Several of the public measures of the British Government taught them that the great object of this country was to man their navy, that there was a deficiency of seamen at this time, and that Great Britain was willing to submit to extraordinary and even oppressive internal means of procuring them. Just at that moment his Majesty's ministers propose to the French republic an exchange; the French government cannot be so blind as not to see the object of such a proposition at the commencement of a naval campaign. They have abundant reasons to know, that the wish of Great Britain is to recover her seamen, which they had suffered to rot in the prisons of France, destitute of the common necessities of life, without the least expression of remorse, for two years together. The French therefore, upon a principle of self-interest, refuse to accede to such a proposition; but by their treatment of Sir Frederick Eden and by the other circumstances, they give him very sufficiently to understand that they are willing to negotiate with him on other and more important points. He appealed to the Noble Secretary of State, whether that was not the fact; and if that were so, what was there in the conduct of the French government more ferocious, more uncivilized, than in the conduct of his Majesty's ministers, who had with so much cruelty and neglect suffered their brave fellow country-

men,

men, the seamen of Great Britain, to perish in French prisons, without one effort to relieve them for two years together? Another cause of ill conduct in his Majesty's ministers, and which particularly applied to the present topic, was their having slighted the advice given them early in the war, to let the crews of merchant-ships consist chiefly of foreign sailors, by which means the captures made by the French would not have operated in a manner so injurious to the navy, nor would any thing like so large a number of British seamen have been lost to the service, and been suffering the most unparalleled hardships and miseries under confinement in France.

Lord Grenville said, he was sorry to find himself under the necessity of troubling their Lordships with a rejoinder to the Noble Earl's reply, but some observations which the Noble Earl had thought proper to use, made it absolutely necessary for him not to suffer them to pass unanswered. He had certainly placed the argument respecting the different conduct that the Emperor might hold as head of the Germanic body, and in his individual capacity of King of Bohemia, in the manner described by his Noble Friend (Lord Mulgrave), and argued that the Emperor acting according to the instructions and declared wishes of the Diet of Ratisbon, might as Emperor negotiate with the French republic for peace, because he in that case acted under delegated authority: But was the case the same with him when he was to act for himself only, subject to no controul but that of his own judgment and inclinations? Undoubtedly it was not. Another charge urged against ministers by the Noble Earl was, that they had not distressed the merchants, and impeded the commerce of the country more than they had done, by taking away a great number of British seamen from on board the merchants ships. He believed few men besides the Noble Earl would think his Majesty's ministers had been blameable for acting as they had done in this respect. The Noble Earl had made several other observations, which, as he did not wish to detain their Lordships, he would pass by, and come to the last, a matter of charge against his Majesty's ministers, so important, that in comparison with every other remark of the Noble Earl, it sunk them to nothing—he meant the charge that his Majesty's ministers had wantonly and cruelly suffered numbers of British seamen to remain in French prisons, and there perish for want of the common necessities of life for two years together, without making one effort to rescue them from the dreadfulnefs of their situation. If that charge were true, he was ready to acknowledge that his Majesty's ministers were guilty of the most atrocious barbarity, and criminal in the highest degree; but was the fact as the
Noble

Noble Earl had stated it? When, he desired to know, had an opportunity offered to attempt a negotiation for an exchange of prisoners till of late? Would the Noble Earl have goaded ministers to treat for that purpose, when the Convention passed a decree to put all their prisoners to death? Was that a fit moment to appeal to French humanity? Would the Noble Earl have had them tender the proposition when this country sent cartel-ships full of French prisoners to France, and the French, in defiance of the law of nations, not only detained those ships as lawful prizes, but sent the officers and the crews who navigated them to prison, in like manner as they would have done enemies taken in battle? [By the almost universal shouts of *Hear! Hear!* which echoed through the House, it was evident that their Lordships coincided in sentiment with the Secretary of State.] In fact, his Lordship said, no opportunity had offered that promised a probability of success to any such proposition from the commencement of the war to the present day. Of late, when so much had been said in Parliament of the moderation of the present governing powers in France, and of the return to reason and humanity manifested in the speeches of the different members of the Convention, some of his Majesty's ministers had been induced to think a negotiation for an exchange of prisoners might possibly be practicable, and had proposed at least to try the experiment. He owned for one, he had uniformly been of a different opinion, and the event had justified his sentiment. Sir Frederick Eden had been sent, and the experiment had failed, as he had returned without accomplishing the object of his mission. The fact was, that his Majesty's ministers felt as anxiously as the Noble Earl or any other of their Lordships could do for the unhappy sufferings of the numbers of their fellow-subjects at this time lingering in French prisons, and they endeavoured, but fruitlessly endeavoured, to relieve them. With regard to the question that the Noble Earl had thought proper to put to him, whether, though Sir Frederick Eden failed in his object of negotiation, that negotiation had not been attended with circumstances that indicated pretty plainly an inclination on the part of the French government to negotiate on a more important subject, certainly it was a matter to which upon his own feeling he should not have adverted; but as the question had been put to him, he had no objection to give an immediate and a direct answer—he had not heard of any such circumstances.

The Earl of Lauderdale rose again; and as there was a considerable call for the question, said he could not suffer their Lordships to depart without hearing a word or two of reply

to the Noble Secretary of State's rejoinder. Some Noble Lords, his Lordship observed, had certainly had their patience taxed by him that day; but he was rather surprised at the extreme eagerness for the question expressed by others, who had but just entered the House.

Notwithstanding what the Noble Secretary of State had said respecting the sending of Sir Frederick Eden to negotiate for an exchange of prisoners a short time since, he did charge, and seriously charge, his Majesty's ministers with a wilful and scandalous neglect of their duty in not having during two years continuance of the war made any one attempt to procure an exchange of prisoners, till they found it necessary to do so on the spur of the occasion immediately previous to the commencement of a naval campaign, and after their own measures in Parliament had announced to the French the extreme distress of this country in respect to seamen. Under such circumstances it was no wonder that the proposition for an exchange of prisoners was rejected; he thought the French acted wisely in rejecting it, and in saying as they did in fact by implication, "We understand what you mean; you never proposed an exchange of prisoners, when it might have been our mutual interest that an exchange should take place; and now, when it is notorious to all the world that you want your seamen, you are ready enough to come forward with such a proposition, but we will not be such dupes as to let you have them."

Lord Grenville restated the circumstances of the decree to put all British prisoners to death, and the seizing and detaining the cartel-ships; and asked if either of the periods when these facts occurred had been propitious to the trial of such an experiment as a proposition for the exchange of prisoners? In fact, no one occasion that seemed likely to be attended with success had offered, and it was evident from the late trial of the experiment and its entire failure, that the French were equally incapable of carrying on war as a civilized nation, as they were of maintaining the accustomed relations of amity and peace.

The House divided on the question:

<i>Not-Contents</i>	-	-	-	53
<i>Contents</i>	-	-	-	8

Adjourned.

HOUSE OF COMMONS.

FRIDAY, June 5.

This being the day appointed for the Call of the House, previous to the doors being opened, a conversation of some length

length took place on the question, whether the House should be called over.

The House divided :

<i>Ayes</i>	-	-	-	-	68
<i>Noes</i>	-	-	-	-	182

Mr. Secretary Dundas pronounced an eulogium on the memory of General Dundas, in which he alluded to the treatment which his remains had experienced from the French: They had attempted to fix the charge of cruelty upon the character of a General who, to the greatest gallantry, added the most amiable disposition, and the most gentle manners. He said, he had risen to move that a monument should be erected to his memory; he was aware that those motions had only been made in cases of brilliant success; but he was persuaded that to the loss of that brave General might in a great measure be ascribed the calamities which had followed in the West Indies. He spoke of the services and character of the late Major-General Thomas Dundas, who died in the West Indies in the service of his country. The House, he was sure, was in possession of enough of the General's character to rescue him from suspicion of any partiality in the warm eulogiums he was in justice bound to bestow on a deceased and most dear friend. The services he had rendered to this country, in a long military career, even before the present war, remained written in the memory of many Gentlemen then in the House, while all ranks of people bore testimony to his merit and services in the war we were now engaged in—Those services were not more impressively denoted by the applause and affection of the British army, even to a man, than by the rancour and animosity of his enemies, who, with a fury more than diabolical, carried their revenge beyond the grave, tore his body from the sacred place of interment, and gave it a prey to the beasts of the field and the fowls of the air. He did not, it was true, actually die in the field of battle, but he died in the service of his country; and as his life was devoted to the service of his country, so his death was succeeded by many calamities. A character so glorious, viewed in the light of public capacity, was rendered more illustrious by his private conduct; for in all the various relations in which he stood, his life was one uniform tissue of excellence, in which it was difficult to say whether the patriotic, the social, or the domestic virtues were most predominant.—To sum up his character in a few words, he was wise, yet unassuming, brave, mild, and generous.

Perceiving, as he did, that the feelings of the House went hand in hand with his own, the Right Hon. Secretary said he would (much though he felt interested in the subject) trespass

on

on the time of the House no farther with preliminary matter, but move,

“ That an humble Address be presented to his Majesty, praying that his Majesty will be graciously pleased to order a monument to be erected in St. Paul's Cathedral to the memory of Major-General Thomas Dundas, who died in the service of his country,” &c.

Mr. Manning seconded the motion in a few words, expressive of his sense of the merits of the illustrious commander, whose conduct, he said, had impressed the inhabitants of the West Indies with general respect and esteem for his character.

General Tarleton added his testimony to that which had already been given in honour of General Dundas, and referred to an action in America in 1781, in which the deceased General by his superior skill and determined valour particularly distinguished himself, when opposed to the Marquis La Fayette.

Mr. Wilberforce said, that he rose with some difficulty in one respect, though in another with no difficulty at all: He had no difficulty in agreeing most cordially with the vote of thanks to General Dundas, of whose conduct he spoke in the highest terms; neither had he any intention to impute particular blame to Sir Charles Grey or any other commander, by what he was going to add; he thought it his duty, however, to notice a clause in the proclamation issued in the West Indies, by which all slaves found in arms in the defence of a French island, on which we made an attack, were threatened with being transported to Africa, if taken, certainly not with the view of restoring them to their respective homes, but “to take their fate,” as it was expressed in the proclamation; and it was even added, that all *free* blacks who might be taken in like manner should, on account of the impossibility of distinguishing them, be transported also. *Mr. Wilberforce* said, he was persuaded that the commanders in the West Indies having their minds occupied with the chief objects of their expedition, were not to be supposed to have deliberated particularly on the point he had spoken of, but had admitted, perhaps inadvertently, the clause in question, in compliance with some sentiments in the West Indies. It should be considered, however, that many slaves might be obliged to take up arms in defence of the French islands, by their own superiors, and perhaps under pain of death; and that many free people of colour, of respectable character, and possessed of property, might be in arms for the defence of that property also. He thought it, therefore, very unbecoming in the first place, in point of humanity, for us to put the blacks under the distressing dilemma of either refusing to take arms, perhaps under the pain of death on the one hand;

or else, if they should take up arms, of being thrown on shore on Africa (a fate that might be nearly the same as death), which was the only other alternative. He was proceeding to observe further on the effects of his conduct, when

Mr. Cawthorne said, that the Hon. Member was disorderly by diverging into irrelevant matter.

The Speaker said, that if the observations of the Hon. Member had to make on the proclamation were connected with the conduct of the deceased General Dundas, he was orderly in making them.

Colonel Maitland spoke to order. He expressed his surprise at the digression, as he was convinced the Hon. Gentleman would be the last in the House to calumniate, by a side wind, the conduct of the officers in question.

Mr. Wilberforce said, that it certainly might be stated to have some connexion, though he did not wish to put the House in mind of that connexion, for obvious reasons. He had taken the present opportunity of mentioning the subject, because he wished not to make a specific motion upon it, but merely to notice it in the course of debate, with a view of preventing any like proclamation in future.

Mr. Wilberforce having been interrupted again, said, that he did wish to press the matter further on the House at present, and that he by no means meant to derogate from the praise given to the commander whose conduct was under consideration.

Mr. M. Robinson called him again to order. The tenor of the proclamation, he observed, had nothing to do with the monument of General Dundas.

Mr. Grey said, that whenever that proclamation was directly and fairly brought before the House, he should find no difficulty, he trusted, in justifying it from the peculiar circumstances of the war in which we were engaged.

The motion then passed *nemine contradicente*.

Sir Charles Dundas begged leave to return his warmest thanks for the honour they had done to the memory of his deceased brother. He had left behind him a numerous family; he hoped that they would emulate the virtues of their father. By the motion which they had now passed, the House had restored to his family the comfort which had been wrested from them by the wanton attack of an individual, (alluding to the conduct of the French commandant at Guadaloupe.)

PROCEEDS OF THE DUTCHY OF CORNWALL.

The Chancellor of the Exchequer brought up an account of the proceeds of the Dutchy of Cornwall during the minority of the Prince of Wales, an abstract of the debts of his Royal Highness, and an account of the application of 25,000*l.* for the

the finishing of Carlton-house.—Ordered to be laid upon the table.

General Smith said, that the papers for which he intended to move having been laid upon the table, his motion would of course be unnecessary. He should therefore now content himself with moving that these papers be printed.

Mr. Rolle said, that in consequence of what had dropt from the Hon. Baronet (Sir Charles Dundas), he should have something to move with respect to a provision to be granted to his family.

Sir Charles Dundas said, that nothing which had dropt from him had been intended to lead to any such suggestion.

PRINCE OF WALES'S DEBTS.

The Chancellor of the Exchequer, after some preliminary observations, said, that before the question could be submitted to the Committee, what proportion of the income voted to the Prince of Wales should be set apart for the payment of his debts? it was necessary that the House should ascertain whether they would incur the contingent risk of defraying such portion of those debts as might remain unpaid on the event of the demise of his Royal Highness—but from the best authorities with whom he had conversed, he found great difficulties in the way. Instructions had been given to the Committee to form a clause for the appropriation, with a blank for the sum; but in the present stage of the business, the House were not cognizant to determine how that blank was to be filled up; the only way, therefore, of giving the Committee instruction was in way of proviso. If then the House should agree to take the chance of burdening the Public with the residue contingent on the life of the Prince, the Committee must be instructed—but as it was a new burden, no instruction could, consistently with the rules of the House, be given without the previous sanction of a Committee. It was intended, he said, to propose that the sum to be appropriated for discharging of the debts should be the 65,000*l.* additional income voted, which, with the proceeds of the Dutchy of Cornwall, or 13,000*l.* in lieu of it, would pay off the whole in about nine years. In case of the demise of the Crown, the 65,000*l.* should be charged on the hereditary revenues of the Crown; but if both the King and the Prince should die before the liquidation of the whole (a circumstance fortunately not very likely to happen), it would not be thrown upon the civil list, burdened as it would be with the amount of the jointure to the Queen, and another to the Princess of Wales, for in that event the civil list would be subject to greater burdens than it is at present: He would therefore move,

“ That

“ That it be an instruction to the Committee of the whole House, to whom the Bill for enabling his Majesty to settle an annuity on his Royal Highness the Prince of Wales, during the life of his Majesty, and the life of his said Royal Highness; for making provision for the payment of any debts, that may be due from his Royal Highness, out of his revenues; for preventing the contracting of the like debts in future; and for regulating the mode of expenditure of the said revenues, is committed, That they have power to make provision in the said Bill for the appropriation of an annual sum out of the hereditary revenues of the Crown, during the life of his Royal Highness, for the liquidation of such of the debts, now owing by his Royal Highness, as may remain unpaid on the demise of the Crown.”

And also, “ That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider of providing for the appropriation of an annual sum out of the consolidated fund, for the liquidation of such of the debts, now owing by his Royal Highness the Prince of Wales, as may remain unpaid, in the event of the decease of his Royal Highness.”

Mr. Powys observed, that the object of this motion was to prevent any eventual charge on this nation, and to lay the burden on the hereditary revenues of the Crown, on the Prince of Wales's coming to the Throne before the whole of his debts should be paid. The civil list provided for certain offices, and it must be commensurate and adequate to every one of the purposes to which it was applicable; if it was not, would not the country be bound in some way or other to make up the deficiency? He understood that at the commencement of every reign, the hereditary revenue was commuted for a certain civil list. As he viewed the subject, therefore, the mode of proceeding then proposed by the Hon. Gentleman, would be attended with no relief to the Public, since, if the civil list should be found inadequate, the deficiency must be made good by Parliament.

The Chancellor of the Exchequer stated the hereditary revenue to be that to which the Prince of Wales would succeed upon the demise of his Majesty. It had been thought proper for several reigns to commute that hereditary revenue for a certain civil list, but the mode of proceeding which he proposed, was the only one calculated to give security to his creditors, or in the event of his accession, to render his Royal Highness responsible for the payment of his remaining debts, as he would then have a less hereditary revenue to offer in exchange for a civil list.

General Smith wished to know whether the account laid upon the table, included the whole proceeds of the Duchy of Cornwall, during the minority of the Prince. He was desirous that it should be known that his Royal Highness had a claim

claim to so large a sum, which was still undecided. He remarked that the estate under the guardianship of the Court of Chancery would have, during the minority, produced 350,000*l.* and under the care of a gentleman, by being employed at compound interest, 380,000*l.*, and that at present it would amount altogether to a sum of 600,000*l.* He should avail himself of a future opportunity to take the sense of the House on the subject. Without adverting to what had taken place in that House, he should only remark that out of doors a great deal of odium had been very ill applied to his Royal Highness, who might eventually be entitled to claim either from the Crown or the Public a sum almost equal to the demands of his creditors.

Mr. Anstruther said, that the account laid upon the table included the nett produce of the income, except the expence of the establishment, which was necessary to be kept up during the minority, as well as at any other period, and a sum of 25,000*l.* which had been granted by order of his Majesty for public purposes in the county of Devon.

Sir William Milner compared the case of the Prince of Wales, with respect to the Duchy of Cornwall, to that of a son, who had an estate left him during his minority. What father would not, in such a situation, conceive himself bound by every tie of honour and affection to take care of the estate, and employ it to the utmost advantage for the benefit of his son?

Mr. Sheridan remarked that the Hon. General (Smith) had accurately calculated the interest upon the accumulated revenue of the Duchy of Cornwall. He conceived that the Prince had hitherto been well advised in making no claim upon his Royal Father. But, if it was true, as he was well persuaded, that he was entitled to the produce of the revenue from his birth, he had at present no option. The accumulated sum belonged neither to the Prince, nor to the King, nor to the Public, but to the creditors of his Royal Highness.

The question upon the first instruction, with respect to the remainder of the debts being chargeable upon the hereditary revenue of the Crown, in the event of the demise of his present Majesty, was put, and carried.

The Chancellor of the Exchequer said, that in proposing the second instruction, the question was, whether, by refusing their countenance to this provision, they would render all their other liberality ineffectual. All other provisions, except that which he was about to propose, would be inefficient both as to the security of the creditors, and the comfort and ease of his Royal Highness and his illustrious consort. It was certainly attend-
ed

ed with some degree of risk to the Public, but it was one of the unfortunate considerations, which could not be separated from the present discussion, and except some other mode could be found consistent with justice, propriety, and policy, they were driven to that option. He concluded with moving,

“ That the entry in the Journal of the House, of the 11th day of July 1721, of his Majesty's most gracious Message to this House might be read.”

And the same being read accordingly,
The Chancellor of the Exchequer moved,

“ That this House will, on Monday morning next, resolve itself into a Committee of the whole House, to consider of providing for the appropriation of an annual sum out of the consolidated fund, for the liquidation of such of the debts, now owing by his Royal Highness the Prince of Wales, as may remain unpaid, in the event of the decease of his Royal Highness.”

Sir William Young said, he wished that other means had been resorted to for discharging the debts of the Prince of Wales. Because he was attached to the Royal Family he did not wish that the debts should be taken notice of at all. “The subject was extremely obnoxious out of doors, and he was at a loss to conceive how the debts came to be mentioned at all in that House. The mode of procedure adopted by the Hon. Gentleman tended to degrade the Prince of Wales; it put him, as it were, in leading-strings, and held him out as unworthy of confidence.

Mr. Fox said, that he conceived no such construction could apply to any measures taken to regulate the expenditure of his Royal Highness as would warrant its being said that he was either degraded or disgraced. When the House voted for Mr. Burke's Bill, they had acted in the same spirit. He then conceived that the elevated situation of his Majesty gave a right to that House to lay him under the restrictions which they at that time imposed; and that in so doing the House neither manifested want of respect nor want of confidence; because, proud as his situation is, the King owns no greater station than that of servant of the people. Before, in the present instance, he consented to burden the people, he wished to know, whether what he should grant would be effectual for the purpose for which it was demanded. As far as he understood, there was no compulsion upon the creditors to accept of the terms meant at present to be offered. He did not wish to impose an additional burden upon the Public without some reasonable certainty that it would really be effectual.—The whole of the business had been conducted unfortunately. There ought first to have taken place some arrangement between the Prince
and

and his creditors, that it might be known what terms would be accepted, if a certain security was given. Every step they proceeded they had to encounter new difficulties. The Right Hon. Gentleman had intimated his intention to fill up the blank in the Committee with the whole additional sum of 65,000*l.* and the revenue of the Duchy of Cornwall. He certainly did not think the sum of 78,000*l.* a year too large for the purpose of liquidating the debt. But how was the Right Hon. Gentleman to get at the revenue of the Duchy of Cornwall? as he understood that the present income of his Royal Highness was conveyed in trust for the benefit of his creditors. It was very unfortunate that the House should be called to impose a contingent burden upon the Public, without either the certainty of relieving the Prince of Wales, or of satisfying his just creditors. He was now called upon to perform the last disagreeable task which had fallen to his share in the present discussion. He had not flattered the people, because he had voted for the larger sum; he had not flattered the Prince, because he had pretty plainly explained his sense of the manner in which that sum ought to be appropriated; nor would he, in what he had to say, flatter that other party, whose immediate favour might be deemed still more important. He sincerely lamented that as a ground of proceeding Parliament had received no intimation from his Majesty, that in any possible contingency he should take upon himself the charge of the debts.—They might then have had the consolation to say that it was a transaction which had been equally unfortunate for all parties; that the Public had suffered from the imposition of an additional burden; that the Prince had suffered from a diminution of splendour, and that his Majesty had suffered in common with his family and his people. If the Bill went forward, he certainly should vote for the appropriation of the 78,000*l.* which the Right Hon. Gentleman had stated would extinguish the debt in about nine years. The risk of the Public in that case was certainly not great; but why, he asked, should the Public be subjected in this instance to any contingent risk? He adverted to the case of Frederick Prince of Wales, whose income had been increased from fifty thousand to one hundred thousand pounds, and had still been charged upon the civil list. He proposed to move that in case of the demise of the Prince of Wales, the portion of his debts, which should then remain unpaid, should be defrayed out of the civil list. It might be said, would not so large a defalcation oblige Parliament to grant an additional supply to the civil list? To this he would only answer, that it would then remain for Parliament to consider what were the peculiar cir-

cumstances of the time, and whether the state of the civil list was such as called upon them for an additional sum. When the civil list was increased by accidents—he did not mean to an inconsiderable amount; he particularly alluded to the death of the Princess Amelia—he never had heard of any message stating to the House that it had been freed from such incumbrance. If the civil list likewise was lightened of some of the burdens with which it was at present charged, it might then be adequate to undertake the discharge of the debts; if not, it would be for Parliament to consider, according to the circumstances of the time, what supply it would be proper to grant.

Some Gentlemen had lamented that the Prince's debts should be mentioned at all in a Parliamentary way, after the promise contained in the message of 1787. As to that promise, it might have been made precipitately, and without consideration; but the House in the address recited that promise—the Prince knew that, and by accepting the terms, deliberately bound himself. He for his part felt that so much, that at first he thought to give his voice for the income, but to leave the debts out of the question as a family concern. He adverted to the argument that had been urged, that Parliament were bound to provide for the debts as having approved of the marriage of his Royal Highness; how much more then his Majesty, who was an immediate party in the contract? Was he to be supposed the only one of the inhabitants of this country who was ignorant of the embarrassments under which his son laboured? Gentlemen should recollect that the marriage was concluded without the knowledge of the House, and would, but for the casual interruption of a bad season, have been consummated before Parliament met. Nothing but absolute political necessity could induce him to lay any additional burden upon the Public. In the present discussion he considered the Public as having one and the same interest, and he thought that the memory of the transaction ought to be extinguished as soon as possible. He was perfectly convinced that if his Royal Highness was assisted by the credit of his Royal father, that with the annual appropriation of 78,000*l.* the creditors would be perfectly disposed to be satisfied with their security.

Mr. Powys declared, he was put under considerable embarrassment by this question.—The late communication of his Royal Highness had induced him to give his vote, though he had before resolved to refuse entertaining the debts. The Chancellor of the Exchequer had a harder task to perform than ever fell to the lot of any minister or Parliament, so that he
long

long doubted whether he should not, in regard to his own honour, decline; but he had acted as a more faithful servant of the Crown and the Public, to go through with it: For his part, he had gone as far as consistently with his duty he could go; it was still his opinion that no burden, either directly or indirectly, ought to be laid upon the people, and that some other resource might be found, either in the Duchy of Cornwall, or the civil list.

The Chancellor of the Exchequer rose to state some facts in explanation as to the state of the civil list. In case of the demise of the Prince of Wales, it would be relieved from 60,000*l.* but liable to a jointure of 50,000*l.* for her Royal Highness. If the Prince should leave issue, there would remain only 10,000*l.* and 13,000*l.* Some provision must in that case be made for the infant Heir Apparent to the Crown. If he should leave no issue, the Duke of York would then succeed to the Duchy of Cornwall, and be left with an income of 40,000*l.* after the House had expressed their sense that a sum of 125,000*l.* was necessary for an establishment to a Prince of Wales; so that, either directly or indirectly, some burden must ultimately fall upon the Public.

Mr. Jekyll said, they had arrived at the most important crisis of the business, *viz.* whether a contingent or remote burden should be imposed on the people? After the heavy and oppressive load of taxes already sustained by them, he would not consent even to a contingent burden upon the people, nay not even to add the weight of a single hair to their burdens, unless it could be made out that they had no other resource to look to. A temporary alienation of the Duchy of Cornwall, it had been stated by an Hon. Baronet (Sir John Call), might produce a considerable sum, and contribute to the improvement of a part of the country highly susceptible of improvement, and at present fertile in little else but Members of Parliament. Voting 125,000*l.* for the establishment of the Prince of Wales, was not liberality but justice, as every man who considered the relative value of money must be convinced that a less sum would not be sufficient for the establishment the Prince was expected to maintain. After praising their own liberality, they were proceeding to appropriate the greater part of the sum to the liquidation of his Royal Highness's debts, which they professed to make no provision for at the expence of the Public. The legal opinion that the Duke of York, in case of the demise of the Prince of Wales, would succeed of right to the Duchy of Cornwall, was not a formal opinion, but one incidentally thrown out upon the interpretation of the word *Primogenitus*, in deciding upon a very different

ferent question. Lord Coke had been of an opinion on this point, and that opinion had been collaterally opposed by a very eminent authority, Lord Chancellor Hardwicke; but what Lord Hardwicke had said was only *arguendo*. He had said, that *primogenitus* was not the Latin for first-born; and that other sons might inherit the patrimony of the first-born; but this, as he had said before, was only an opinion delivered *arguendo*. No reason had yet been given why a resource might not be found in the sale of the Crown lands. With respect to the revenues of the Duchy of Cornwall, from the birth of the Prince to his attaining the age of twenty-one, he conceived that the commissioners to be appointed by the Bill must have powers to inquire into debts due to the Prince, as well as into debts due by him, and that it would be their duty to inquire into this matter, and sue for the recovery of the money if necessary. He wished to see Royal resources applied to the relief of Royal embarrassments.

Mr. Alderman Newnham thought, that as it was intended to establish a commission armed with Parliamentary powers, and that every creditor would be obliged to prove his claim upon oath, there would be many persons who would not submit their claims to investigation at all; and those of a great many more would be found replete with extortion. This would reduce the sum to be paid; and it was for the honour of the nation as well as the Prince, that he should be left unincumbered. The Alderman said, Gentlemen had talked much of deference to the sentiments of the people upon this occasion. He believed they were rather leading than following the sentiments of the people, by a conduct which would not long be popular. The Prince of Wales, from amiable manners, if placed in any other station, would have been considered as the first Gentleman in the country; and, when it was seen that he was sacrificing his state, to prevent accumulating burdens upon the Public, the people would soon call upon Parliament to relieve him from his embarrassments.

Sir William Milner said, he had been told, that the Prince intended making such an arrangement as was now proposed, before any application was made to Parliament.—He was persuaded that the King did not come forward to the relief of the Prince because he had not the means; but the revenue of the Duchy of Cornwall ought to be inquired into, that justice might be done to all parties.

The Attorney General (Sir John Scott) expressed himself truly sensible how necessary it was for that House to consider the essential interests of the Prince of Wales; but it would not be to study his fundamental and permanent interests, if they did

did not at the same time also consult those of the Public. Gentlemen seemed to forget that the law of the land would attach upon the income voted to the Prince, for the benefit of his creditors, unless the House interposed. All that they were now called upon to do, was to provide for a judicious application of that money to the liquidation of the Prince's debts, which otherwise he might be compelled to apply in a more unpleasant and less effectual manner. He was, he owned, a little astonished to hear an Hon. and Learned Gentleman (Mr. Jekyll) talk of the temporary alienation of the Dutchy of Cornwall, without specifying the limitation of the time. This was loose and incorrect; if he meant the Prince's life estate, he certainly might legally dispose of it; but if the Hon. Gentleman would consult the original charter, he would find that he could not legally dispose of the fee-simple; it was simply the property of the Prince of Wales for the time being; a property held in succession, and no principle of justice could warrant the total alienation of it: But suppose it could be alienated for the payment of these debts, they then would be paid by the Public, and out of a public fund; for as these revenues are in aid of the income of the Princes of Wales, that income must be increased, if they were alienated. The same principle applied to the sale of the Crown lands; the hereditary revenues of the Crown were necessary for the support of regal dignity; and if the forests were capable of improvement, so as to yield a large revenue that may be made applicable to the support of the monarchy, it would make it unnecessary for the people to contribute an increase. Without meaning to assert any thing positively upon a subject he had not sufficiently considered, he doubted whether the revenue of the Dutchy of Cornwall was to be accounted for during the minority of the Prince of Wales. In every instance, since the first grant of the Dutchy, the King had maintained the Prince of Wales out of the revenues, till he thought proper to give him the livery of the Dutchy, which he might do at any age. The revenues of Cornwall might be considered as for Knights services, and regulated by the Act of Charles II. If Gentlemen would search history, they would find, that since the reign of Edward the III^d no King has been held to stand accountable for these revenues during the minority of the Heir Apparent, and that various Kings have allowed the Princes whatever portion of the revenues they pleased, or the whole, as soon as they chose to consider them of a proper age to receive them, from two years old to seventeen. In law a guardian in socage, as a father to a son in private life, is held accountable; but a guardian in chivalry is by no means accountable, nor ever has been held so. If
the

the revenue, during the period of the Prince's minority, was the property of the Prince, it was the property of his creditors. If the money had been applied to the general purposes of the civil list, it had been applied to the public service, and the Public, not the King, must refund. He saw no benefit that would arise from charging the contingent burden upon the civil list in the first instance; but if necessary the law would decide:—The King is amenable to the law, and though he may not be sued by as pressing means as his subjects, yet may debts due by him be as effectually recovered as from any individual; and the trial of a single case would determine the whole. Let the Prince of Wales therefore, if he please, try; but his Royal Highness would certainly then bear in mind what he has already received from his Royal Father from his infancy.

Mr. Sheridan said, that as he found it impossible for him to vote a shilling, nay the weight of an hair of the Public money, for the payment of the Prince's debts, he must take his stand against that proposal; at the same time, he could not agree with the plans suggested by his Hon. Friend, for the sale of the Dutchy of Cornwall or the Forest lands. Those plans he much disapproved; and, indeed, it was evident, the Hon. Gentleman had only proposed them from the embarrassing situation into which the House and the nation were thrown. The discussion of these debts was painful; but he would meet the question manfully, because the character of the Heir Apparent was intimately connected with the public fame; because his honour, his comfort, and his dignity, made part of the nation's wealth, and that he was interwoven in the constitution of the country. He had no objection to the sale of the Dutchy of Cornwall, but he could not agree to have all the money arising from such sale applied to pay the Prince's debts. The Duke of York had a contingent property, and all subsequent Princes would be injured; but if the Dutchy was sold, and an equivalent to the Prince's life estate only applied, he felt himself so far from objecting, that he thought the sale would be attended with many advantages. The greatest part of the value of the revenues were swallowed up in the collection; it answered the purposes of jobbing and Court influence. The Dutchy, though nominally of Cornwall, was ridiculously split and dispersed; we have Cornwall in Coventry, in Lambeth, and in Westminster; and, as a property, it could not possibly be less beneficial or productive in any other shape or figure. The plan which he should propose would be of a different nature; he assured the House however, that no consideration of paying his court to any body had influenced him to devise it; but to that he would more particularly come by

and by. He would not wish to press upon the civil list: He had always been an enemy to its being for life; and had always held, that the real and true controul of the purse would be, to vote the civil list annually; then would the House constantly consider the exigencies, and give what should be found necessary. But though he thought his Majesty should bear a share of the burden, he should propose it in another way. The Hon. and Learned Gentleman had not considered the King accountable to his son for the revenues in his minority. That title may be made out by a reference to the statute of Edward III. which vested the Dutchy in the Princes of Wales. If a commission be issued to ascertain the Prince's debts, it should be also competent to consider his credits; and certainly, for his part, he could not consider it as any violation of the respect and esteem which the Prince of Wales ought to entertain for his Royal Father, if he gave up the debts which were due to him for the satisfaction of his creditors. Gentlemen may not think this matter of great avail, but he felt a different sentiment; it involved the deep consideration, whether that House, in a war, unexampled for calamity and defeat; when the people were pressed almost to the ground by the heavy accumulation of taxes, should be further burdened by the prodigality of a Prince. It involved the question, whether that House, in a spirit of equal profusion, should open the public purse to gratify the cravings of wild waste and thoughtless extravagance. If his Majesty was bound to pay the debt, the nation need not pay it. In the large increase of income which had been lately voted for the Prince, though many Gentlemen had considered it with a view to the payment of the debts, he found that a Right Hon. Gentleman had made it the ground of a precedent for establishment merely. The Right Hon. Gentleman could not approve of the contingency (to arise if the Prince died before the King) falling on the civil list. That event would not relieve the civil list from more than 10,000*l.* per annum (the difference between the Prince's late establishment and the Princess's jointure); and the Duke of York being then Prince of Wales, who would have on that emergency not quite 40,000*l.* per annum, must have it made up 125,000*l.* He could not for his part see how on such an event an increase of 85,000*l.* per annum would be necessary, considering that the Duke was already married. But supposing that to be the proper establishment for a Prince of Wales, how could the Right Hon. Gentleman defend his character for consistency? When his Royal Highness first got an establishment, that Right Hon. Gentleman thought 50,000*l.* a year adequate to his dignity. Afterwards, when from the smallness of that in-

come

come he had incurred a debt, he still considered 60,000*l.* as fully sufficient. Did that Hon. Gentleman consider that his Highness's establishment should be raised more than double, by 5000*l.* a year, on account of his marriage?—Was it reasonable, and did the expence incurred by the Princess amount to more than that of the Prince? He found that the Princess was to receive 50,000*l.* a year on the Prince's death; which was, in his mind, fully adequate to hold her court alone. But could the Hon. Gentleman imagine that the necessary additional retinue and expenditure, whilst married, should be greater for the Princess than when her husband's establishment gave her advantages in common? No, said Mr. Sheridan, there is no just scale; there is nothing proportionate, regular, or consistent.—The additional income is 65,000*l.* which exceeds her jointure by 15,000*l.* There is nothing fair or candid—the miserable manœuvre is obvious; the real cause of the increase of 25,000*l.* per annum, over what would otherwise be thought adequate, arises from his Majesty's message, which mentions that his son is involved in debt; and this being given to extricate him, the whole is now to be quoted as a precedent for establishment merely—supposing it to be a just income, and barely sufficient for the splendour of an Heir Apparent. The Right Hon. Gentleman has said, that he could not in justice, policy, and propriety, suggest any other mode for the payment of these debts, than by an appropriation of his Royal Highness's income; but he would shew the House, that he had a plan, which being in his mind advisable, he would not forsake, until he had the sense of the House, that it was less beneficial or just. An Hon. Gentleman (Mr. Powys) had said, that he should not have been much surprised, if the Chancellor of the Exchequer had refused to bring forward this business at all—that was very tenderly saying that he should give up his office. These compliances were expected; and he should indeed be surprised, if that Right Hon. Gentleman had refused to bring forward any measure proposed: If he had not, he must quit his place, and in so doing, he could not even support his own consistency. Did not that Right Hon. Gentleman advise the marriage? Was not the whole train of establishment in the Government Gazette? And does the Hon. Gentleman suppose, that he would have been justifiable in refusing to bring forward the measure, after being one of the leaders in the marriage? No, the error was, that he had advised the Prince to contract the marriage at all, or incur new expences, without knowing whether the Parliament would pay his debts, on which depended every comfort he could hope for in marriage. The Chancellor of the Exchequer would

would have acted the part of an honest minister, if he had said candidly to the King, "Unless your Majesty will give some example that you are willing to bear some part in the payment of these debts, I cannot, nay I dare not in justice to my own character and the nation, propose the liquidation of them to the House of Commons." There had, Mr. Sheridan said, been little delicacy observed towards the Prince, of meaning or expression, in treating this business; and upon a right view of the matter, there should be as little delicacy used in telling truth to the Throne as to the Prince. That his Majesty ought to contribute was the opinion of that House; and if they felt it so in heart and mind, why not boldly speak it out? it was much better than to have a lurking sentiment of disapprobation in their bosoms. Why shrink from a constitutional duty, and not tell his Majesty how he ought to act on this occasion? From the suggestion of his Hon. Friend (Mr. Grey) the Prince had sent a message to that House, which was universally allowed to do him great credit; he thought, with the adage, "better late than never." Why may not his Majesty adopt a conduct of a similar nature, and make a communication to the House of some gracious intention towards the Prince? He would thereby conciliate the affections of the people, and do himself infinite honour. If there was any thing base and incorrigible in the Prince; if he had done such acts of repeated dishonour, that the House of Commons and the nation withdrew all confidence from him; if they had neither future dependence nor hope; if he had so acted as to turn his father's heart from him in hatred—then, and then alone, would the King be justifiable—[*Mr. Sheridan was here called loudly to order*].—Then do I say would his Majesty's ministers alone have been justifiable in advising his Majesty not to interfere in his behalf. If (said Mr. Sheridan, in an impassioned tone) a much-execrated and most detestable band of Jacobins had wished to throw an odium on the Prince, and shake the foundation of the throne itself, they could not have done any thing more mischievous than not advising his Majesty to take part in this measure. "Yes (said Mr. Sheridan, pointing to ministers), I give you credit for it all; your interruption by a cry of order made me lodge the odium upon the proper shoulders." Mr. Sheridan said, he would allow that his Royal Highness had been prodigal and extravagant; but were his errors (he would not call them vices) so new and extraordinary, that they could find no excuse or lenity in the Royal breast, which was justly esteemed to be fraught with every virtue? A King justly dear to his subjects for domestic virtues—[*A cry of Order Order! from the Treasury Bench.*] I hear (said Mr. Sheridan)

the Hon. Gentlemen cheering me, as though I should transfer my praises to his Majesty's ministers, as well as my censure. No, no; I can, with the late Lord Chatham, separate the personal character of the man from the vices of his Government, which arise from wicked and corrupt ministers. Let us examine, then (said Mr. Sheridan), what has been the conduct of his Majesty's ministers on his Majesty's establishment and revenues since he came to the Crown; on coming to the throne the nation gave his Majesty, on a bargain for the surrender of his hereditary dominions, 800,000*l.* per annum, for which, as adequate to all the purposes of the civil list, his Majesty gave unfeigned acknowledgments; indeed the strongest expressions of gratitude. However, there has been paid, if all the sums were increased to this day at compound interest, a surplus of near seven millions sterling; his debts have been paid three several times, and though in the second payment a legal arrangement was made, by the third payment, which was an application of 50,000*l.* a year from the civil list, not only a solemn promise had been violated, but the law of the land was also violated. In the Prince of Wales however a breach of promise, on the nature of which he should speak more fully, was considered criminal. The Duke of Portland had proposed in 1783, that the Prince's establishment should be 100,000*l.* a year, that is, 87,000*l.* a year in addition to the Duchy of Cornwall. It was not therefore to be wondered at, that with an income not much more than half that sum, a young Prince, whose character is not marked with a great degree of economy, should incur debt. But he could not, nor would he attempt to justify the principle, that because the House of Commons had thought proper to allow the Prince little more than half what was proposed by one of his Majesty's ministers, that he ought not therefore to live on it; this would be illogical and fallacious.

Mr. Sheridan said, as the House was favourably inclined to hear him, he should state some matter relating to these debts for public information, though it must be unpleasant to state such facts. Gentlemen knew that he had formerly been honoured by a considerable degree of the Prince's confidence; this he was proud to state, because that confidence was founded upon a conviction in the Prince, that it was on his (Mr. Sheridan's) side perfectly uninterested. The Prince knew that he would not directly nor indirectly accept of any favour whatsoever. He had not been much in the habit of talking of himself nor in his own praise, but he would assert then, that he stood the most unobliged man by the Prince existing. He could take to himself some share of praise, by saying, that the Prince was

indebted to him in the obligations of a true and faithful service. Whatever circumstances may have altered the Prince's society or political connexion, he would state in justice, that his Royal Highness did not deserve the severe and unkind animadversions that he had met with, from his conduct, principles, or feelings for the Commons of Great Britain. He would now state his Royal Highness's different establishments, and debts. From 1783 to 1787, he had 50,000*l.* per annum, at the end of which last mentioned time, his debts were paid off, to the amount of 161,000*l.* of which 70 or 80,000*l.* was for repairs of Carleton House. There was a sum of 80,000*l.* voted afterwards for these repairs; and it being thought, in some time afterwards, that the sum voted was not applied to the repairs, an investigation took place, and it was found to be truly applied. At this time the Prince also received an additional 10,000*l.* per annum; so that if the whole were calculated—50,000*l.* a year for four years—60,000*l.* for 8 years—together with the debt paid off, it would not be for the 12 years more than 72,000*l.* per annum for the whole expenditure. He would now come to the promise made in 1787, that no future debt should be incurred. He understood that a worthy Magistrate had considered that promise as not binding, because not formally delivered by the Prince himself; this he could not think, for if he could be more bound than by a direct promise, it would be by the circumstances which attended the promise, such as it was. Had the Prince acted under a notion that he gave no direct promise, and received the money under any idea that he could quibble away the promise he did make, he would act in a shameless and profligate manner; he would then have appeared to have given an incomplete engagement with a view to future prevarication. He would state to the House how it really was, and leave them to draw what inference they pleased:—When it was first suggested that a promise was to be made, he had advised the Prince not to engage himself by any such obligation, without knowing more fully the state of his circumstances altogether, and particularly because he was without a man of business about him, who could regulate his future expenditure; for his individual part, he did not find himself inclined nor fit for the task. The man who may advise the outline of a great preparation, may not be fit for entering into the detail of it and carrying it into execution. He had made an order of payment and arrangement, which had been sent to his Majesty, and the Prince was then informed from the proper quarter, that such arrangement would be sufficient, and it was by the Prince's friends strongly advised to abstain from any promise. How then was he astonished to find, in the message from the Throne,

3 S 2

that

that his Majesty had received the strongest assurances that no future debt should be incurred? And when he mentioned the circumstance to the Prince, he seemed surprised, and wanted him to go down the next day to the House, and retract the obligation; this he refused to do. With respect to the great and extravagant expences incurred at Carleton House, he thought that great blame was to be imputed to ministers, who had it not inspected as a public work. In the arrangement which had been given in to his Majesty, it was considered that his Majesty's Treasury was to be a check, and it was the duty of ministers to see that arrangement executed.

He would next ask, whether ministers would pretend that the incurring of this large debt was a secret to them. In 1791, there was a proposition from the Duke of Portland, Lord Fitzwilliam, and others, for paying the debts, and afterwards in 1792, for effecting a loan for that purpose. Towards the close of that year, he had advised the Prince to go into a perfect and complete retirement; and a Noble and Learned Lord (Thurlow), who would scarcely be suspected of Jacobinical principles, then gave the Prince most direct and valuable advice. He advised him, as he valued his honour and character, to make no application to Parliament for the payment of these debts—to go into a complete retirement—to turn the key on Carleton House—and to rally round the throne—to put confidence in his own family, and to abstain from all political connexions whatever, as that formed the true dignity of a Prince. Mr. Sheridan continued: He said, that he had also with all his eloquence urged the same arguments; it was not in his power to enter into the heart of man, but his Royal Highness seemed disposed to go to the extreme distance of England, and live in seclusion and retirement. At this time there happened a great change in political affairs, which was indeed happily described in a printed paper, signed, as it appeared, by Earl Fitzwilliam, most richly illustrative of the Duke of Portland's coalition, where ministry is strengthened (if it could admit of such increase) by an increased degradation of character. Reading this paper must give the philanthropist a pang for the honour of human nature. The Duke of Portland is there described as possessing half an office, half duties, whole salary, and no character; these, he said, were not his words, they were in the letter published to the world. At the time of this coalition, a Noble Lord (Loughborough) went to the Prince, to whisper his wholesome lessons in his ear—"What, Sire, give up your dignity, retire from the world—the Heir Apparent to the Throne of England retire from the world! No, no; you

you must not ; that would be too like Philip Egalité. What remit your princely splendour, and become a citizen ! There is but too much occasion to suspect the quarter whence such suggestions came." [*Mr. Rolle* here called *Mr. Sheridan* to order ; *Mr. Sheridan* sat down, but *Mr. Rolle* not shewing how *Mr. Sheridan* was out of order, he again rose.] He said he was not at all surpris'd at the Hon. Gentleman's calling him to order ; but he should much wonder if the Hon. Gentleman knew why, or could in his fertile imagination assign any reason for his interruption. When the Prince's debts were accumulated and accumulating, he had advis'd him to retire ; if he had then done so, he would have escap'd many debts since incurred, and have paid off some then due ; besides he would have retired in very different circumstances, and without heavy mortifications. The message, he contend'd, held the Prince forth to public view as an incorrigible culprit ; and the whole plan adopted by the minister tended to degrade him in the public estimation. Harshly has the King, by his minister, dealt by his own son ; harshly have they, by their rules and regulations, bound him to humiliating arrangements ; harshly and shamefully have they sent him forth for eight or nine years, an object of compassion, doing a kind of splendid penance in an embroidered white sheet, full of shame and contrition. But, as he would wish to preserve the true interests of the monarchy, he would present his plan to the House, which, if adopted, would prevent the disgrace. The debt incurred for the prodigality and furniture of Carleton House, being deducted (which ought to be considered as a public work), there would remain about half a million due ; and first, he would look to the King for some assistance.

It is allow'd that his Majesty's purse was never so fully adequate to a dilapidation. His Majesty's debts, as he had said before, paid by Parliament, would amount, if calculated at compound interest, to 7,000,000*l.* Amongst them there had been a charge for buildings to the amount of 513,000*l.* and he could not call to mind any great prodigality in this way, except, indeed, throwing down Richmond Palace may be so accounted. Why should not his Majesty extend his hand to relieve his son's exigencies ? The privy purse was formerly 36,000*l.* it was first made to his Majesty 48,000*l.* and rais'd afterwards to 60,000*l.* a year. Her Majesty was allow'd for her establishment 50,000*l.* a year ; she had completed her house at Windsor, and her villa at Frogmore ; she could therefore spare something to the exigencies of her eldest son. Was it not natural, he would ask, that a father and

and mother should contribute a proportion to disencumber their child from his debts, and shew examples of something like feeling and sacrifice? The interest of half a million of money was 25,000*l.* a year; let the King contribute 10,000*l.* per annum, the Queen 5,000*l.* and for the remaining 10,000*l.* for the interest, as well as to establish a sinking fund for the principal, he would propose to raise a present contribution from sinecure places under Government. He would, if necessary, point out how five times that sum might be so raised, and without being perceptibly a diminution from the great and numerous useless offices, which were now held; he would just instance the place of Teller of the Exchequer, which produces between 18 and 20,000*l.* a year; and is thus indeed peculiarly circumstanced, and unhappily for this country, that it is the more productive as the burdens of the people increase; that he is rich in proportion as the people are poor; and certainly, from the public spirit of the Marquis, he would make any sacrifice in a general arrangement which would be found to tend to public advantage. For the sinking fund he would not take away any Gentleman's sinecure place, but appoint a Committee as trustees, in whom may be placed the revenues of useless offices, which, after the death of the present holders, and as they fell, gradually, should extinguish the principal. When they should be all paid off, it would be of service to our posterity, who would look back with exultation and gratitude for our arrangement, and with wonder that such places ever existed. This would be the way to make our constitution stable; to prevent the wild system of Jacobinism from undermining or overturning it. Whilst we are spilling our blood and wasting our treasure, in support of theoretical systems of continental monarchy, this may be a rational resource, and prove that monarchy, or those employed under it, will shew examples of self-denial, and do something for the benefit of the people. This would be to add lustre to the Crown; unless, indeed, ministers may think that it shines with additional lustre in proportion to the gloom that surrounds it, and that a King is magnificent as his subjects become miserable. For his part he felt himself a staunch friend to the British constitution; he surveyed it with a rational affection, but was no friend to its abuses. There was one class who loved our constitution, but did not love its abuses: A second class loved it with all its abuses: And there was a third class—a large interested party, amongst which he placed his Majesty's ministers, who loved it for nothing else but its abuses. But let that House, the best part of our constitution, consider its own honour and character; let all parties,

parties, as well those who were gorged with sinecure offices, as those who had none, have a contest who shall be most eager to destroy them. "Let us, by such a measure as I call for (said Mr. Sheridan), build the ease and dignity of the Prince on the ruins of idleness and corruption, and not by the toil of the industrious poor, who may think their loaf decreased by the payment of his incumbrances."

Mr. Sheridan concluded by moving an amendment to Mr. Pitt's motion, that after the words "consolidated fund," be added these words, "provided it shall appear to this House, upon due investigation into the subject, that they cannot be defrayed out of his Majesty's civil list, or out of sinecure offices, and useless places paid by the Public."

Mr. Secretary Dundas said, the Hon. Gentleman who had just sat down, had given them to understand that he had been intimate in the confidence of the Prince of Wales. He had told them what he had advised the Prince upon many occasions, and what he would have advised him at present. In all the good advice the Hon. Gentlemen had given him, it was to be lamented that it had not been attended with salutary effects in preventing the evils then discussing. He would not attempt to follow the Hon. Gentleman through all the labyrinths of his long speech; the greater part of it consisted of such topics as he thought had better remain at rest; he therefore would not revive them in the minds of the House, by answering them. Upon the same principle also he should avoid entering into the private history so amply detailed by the Hon. Gentleman. It was possibly all very correct, and exactly as the Hon. Gentleman had stated it; for he (Mr. Dundas) was not in a situation which could give him an opportunity of contradicting it. He must, however, remark, that his Majesty's former message was read to his Royal Highness before it came down to that House. It was perfectly intelligible, and his Highness had certainly a competent knowledge of the English language to enable him to understand its import. There were three plans at present under the consideration of the House: The first, proposed by his Hon. Friend; and the last, proposed by the Hon. Gentleman opposite. He might rather say there were four, for the Hon. Gentleman had proposed one thing, and the whole tenor of his speech inculcated another; by his speech the debts should be all paid—by his resolution they were to be charged on the civil list. Why the civil list was to be charged he knew not. The House, in adopting any measure on the subject, would consider the difficulties surrounding them all; and they would choose

choose that which they should think was liable to the least. In the plan, as proposed by his Hon. Friend, of making the consolidated fund the guarantee of the payment, they would do well to consider whether the risk to the Public was not in itself so trifling, that it would be the most unexceptionable of all others. But the Hon. Gentleman who proposed the civil list as a guarantee, had forgotten that he had given his opinion, that the civil list should be voted annually; therefore, if his principle was admitted, the security would not be either permanent or good. Such doctrines as those of an annual civil list, reducing the first magistrate of this country to institute a canvas every year, for his yearly income, he professed to hear with surprise. It was wonderful and astonishing to look back but a few years, and observe what alterations had taken place. Formerly, the Kings of England possessed a great landed revenue, which was not only fully sufficient to support them in all the dignity of their station, but was also sufficient to enable them to do many things which modern policy had deemed prudent should be under the check of that House. At present, indeed, they were totally dependent upon that House for their provision; but he trusted they would always maintain that political and constitutional independence of having the civil list voted for life. It could not escape observation that such new doctrines were always coming forth, and all tending towards one point; their frequent appearance gave reasonable ground of alarm. The civil list was now settled by Parliament; and in their judgment was only adequate to the purposes for which they intended it. Every part of it was so settled that no surplussages could well arise. If any deficiency arose in consequence of the load proposed to be laid upon it, it must be supplied from the public fund, and in fact amounted to the same thing. The privy purse was allotted for the purposes of his Majesty's family; but he again stated that the Prince of Wales was particularly the charge and care of the Public. Why should his Majesty be called upon to discharge any of those incumbrances which he could not prevent being contracted? His Royal Highness had left the paternal care and guardianship of his Royal Father, and every shilling which had been voted him as an establishment, was entirely under his own management and direction.

With respect to taking a part of the Queen's private purse to pay the Prince's debts, Mr. Dundas said, he would not appeal to the judgment of the House to reject the proposal, he would appeal only to their taste; it was a kind of proposition which could not properly be argued.—Her Majesty had

had 50,000*l.* a year allowed her for her own expences and for those of her daughters the Princesses, and yet 5000*l.* was to be picked out of her Majesty's private purse for a purpose, and in what manner the Hon. Gentleman could best suggest. He still adhered to an opinion that he delivered on a former evening: That of all the branches of the Royal Family, the Prince of Wales had least claim upon the bounty of his Majesty, inasmuch as he might be considered peculiarly the care of the Public. As to the other part of the Hon. Gentleman's plan, he expected to hear from him something great and new; some plan which should outdo all plans, and not of one so stale and common, which has been in several peoples hands, and came only second-hand to him. When he talked of converting all places and useless offices to the purpose of defraying the Prince's debts, and called that not taking it out of the pockets of the Public, he professed he could not understand how it was so. If these were places of no use, abolish them; but what then?—did not the money so saved revert to the public purse?—And was it not as much taking money from the pockets of the Public otherwise to apply it, as any other mode could be? He said thus much, because he was unwilling that the matter should go upon that principle, that it was saving the public money, when the fact was not so. As to the other passages of the Hon. Gentleman's speech, he thought them of such a nature as best to be passed over in silence, he should not therefore attempt to reply to them.

Before he sat down, he begged leave to express a wish, that if the Hon. Gentleman persisted in his ideas upon this subject, that he would speak of the Illustrious Personages on the throne in a different manner; the kind of observations which had been made, were not, in his opinion, intended for that House, and he was sure they could not be attended with any good effect. In speaking of his Majesty's ministers, the Hon. Gentleman had certainly a right to indulge all his talent for satire and invective, but when carried to another quarter, it was very improper.

Mr. Bankes said, he wished to give a direct negative to the original motion, but did not agree in the amendment proposed by the Hon. Gentleman; the creditors he did not consider as the most material part of this important subject. Parliament would be guilty to the Public, were they to vote away the sum of money called for on such grounds; he would vote, as he had formerly done, against so large an income being given to the Prince of Wales. He thought the creditors of the present day were very different from the creditors of the

year 1787; then they were ignorant of the Prince's situation, but after the message which was then delivered to Parliament, those who gave him credit ought to know and to take the risk. Upon every view of the subject, he thought it was the duty of Parliament to act with steadiness, as well for their own sakes, as for the character of monarchy, which was deeply involved in this question, and for the general safety of the constitution and the happiness of the people.

Mr. Fox said, he certainly could not agree in the amendment moved by his Hon. Friend, but he must say, that in the speech which prefaced that motion, he had heard as much good and strong sense spoken as ever was uttered in that House, and particularly upon that point which seemed so obnoxious to the Right Hon. Gentleman over the way—the propriety of granting any assistance from the civil list. He thought with the Right Hon. Gentleman, that it was better to give the civil list to the King for life, than annually, as his Hon. Friend had wished it. But he could not agree with the Right Hon. Gentleman, that the King should not come forward upon this occasion, because the debts were contracted without his knowledge, and out of the power of his controul. For if this reason applied to the King, it surely more forcibly applied to the Public, who certainly had no sort of controul over the Prince's expences, nor any knowledge how they were contracted. With regard to the message from the King on this subject, was there any man in the House who did not know that if his Royal Highness's marriage had not taken place, no such message would have been heard of? It was therefore obvious that ministers approved of that marriage, which he had not the least doubt would eventually prove a most happy circumstance for the country; and was it not then their duty to have prevented any such application as this coming to the House? The Prince ought not to be accused of breach of promise; he did not believe that he had got into this dilemma intentionally; but ministers were much to blame for the bad advice they had given both to his Majesty and to the Prince. It must always be an unpleasant thing to lay new burdens on the people for the Royal Family. What had happened in a former reign had shewn the impolicy of such steps; and they must be particularly obnoxious at present. He denied that the doctrines of his Hon. Friend were new: They were the same as he had held, and often before mentioned in that House, since he first sat in it. He knew that there were some who did not advise any reduction of expence in the Prince's establishments; but they were not his friends: And as to the King's expences, he always had

thought they ought to be accommodated to the civil list, instead of the civil list being accommodated to them. He contended, that the opinion of the country was with him in asserting, that, if the King had honest ministers about him, they would have advised him, for his own sake, for the Prince's, and the country's, to have come forward. At an early period the creditors ought to have been called together, and some means attempted to satisfy them: If it could not have been done, then it was time to come to Parliament. He touched upon the allusions made at different times to the Prince's being connected with party politics, in opposition, as it was called, to Government; because he happened, for the time, to agree with those who generally opposed ministers. He thought the new advisers of the Prince had not increased his popularity; and believed, that his own wish and inclination three years ago was, to have retrenched his expences, in order to get into some probable train of paying his debts: But it was suspected; and he, for one, was now certain of it, that very different advice had been given to him; and that the example of *Monsieur Egalité* was held out as a maxim, that, to take any steps such as were proposed, would be dangerous to the cause of monarchy. He stated his grounds for voting on a former night for granting an income of 125,000*l.* per annum to the Prince, which were, because he thought he, or any Prince of Wales, required it; and he would have so voted if he had not been a fixpence in debt. He thought his Hon. Friend had done well in proposing that the civil list should contribute towards the payment of the debts, and insisted that it was much more consistent with those old fashions which the Right Hon. Gentleman professed himself attached to, than the mode now proposed by an application to Parliament.

Mr. Anstruther, in a speech of some length, replied; he said, that giving the Prince a large income without paying his debts, he thought was putting him in a worse situation than he now was; because with a larger income, there might be greater inducement to give credit, and more to be made by execution in failure of payments: He defended his Noble and Learned Friend, whose advice to the Prince had been particularly pointed at, and was sure that he had never given him any advice, that was not as sound, as honest, and as able as any that the Hon. Gentleman, or any other person whatever, could give.

Mr. W. Smith was favourable to the proposition of charging the civil list. He desired a message in 1721, in the reign of

Geo. I. to be read, where five millions was charged upon the civil list, and contended that what was then done, would shew the propriety of again doing the like.

Sir William Yonge thought it was a friendly amendment, and was in substance the same with the motion.

Mr. Grey said, he considered any thing relating to the payment of the debts as an imposition of new burdens upon the people. He meant, consistently with his former professions, to declare he thought the proposition for payment should meet with a direct negative. It was the only method, in his opinion, which could defend the House from future applications of a similar nature. If he were to admit the propriety of discharging the debts, he should argue, that it would much better be fixed on the civil list. He lamented, that in the progress of this business the real question had always been assumed. They never had an opportunity afforded them of declaring their sentiments upon it. He should ever consider all voted above 100,000*l.* per annum as given for the payment of the debts, and as an additional burden upon the people. Many Gentlemen having declared they voted for the larger sum under a conviction it was necessary to discharge them; and though his Hon. Friend, and he knew it to be his sentiment, had declared he voted the larger sum without such consideration; yet he could not from thence say it was the sentiment of the House. He considered the first establishment as called for by the Hon. Gentleman (*Mr. Pitt*) himself, which he then stated, sufficiently ample; and he was convinced that 40,000*l.* additional, upon his own reasoning, must be sufficient for the purpose. Her Majesty's establishment was but 50,000*l.*; it could therefore never require 65,000*l.* addition for the establishment of a Princess of Wales. This carried a conviction to his mind, that so large an establishment was not necessary, and upon that ground he took his stand.

Mr. Wilberforce said, though he had not agreed with the Hon. Gentleman in the magnitude of the sum voted, yet he called to the recollection of the House, whether the question had not been fairly and distinctly submitted to their consideration.

Mr. Alderman Newnham said, it had been imputed to him that he had asserted that the Prince of Wales had made a declaration that he would not incur any debt, if Parliament complied with the application made in 1787. What he did say was, that the Prince declared if 30 or even 20,000*l.* a year of additional income were settled on him, he would engage

gage not to incur debt—but this did not imply that if only 10,000*l.* of additional income were given, he could keep within it.

Mr. Bassard recommended to *Mr. Sheridan* to withdraw his amendment.

Mr. Sheridan said, if there could possibly arise any confusion in the House concerning the real point to which they voted, he would withdraw his motion, and submit it to them hereafter in a distinct proposition.

Mr. Sheridan expressed his wish, that the other side of the House were of opinion with the Hon. Gentleman who thought the amendment so friendly; but as he had received a general intimation to the contrary, he would not hesitate to withdraw it.

The Chancellor of the Exchequer begged the indulgence of the House for a few words, with which he would not have troubled them, had not some observations which had fallen in the course of the debate provoked his reply. He had been charged with not bringing forward this motion in a fairer shape, by proposing at once the payment of the Prince's debts. To this he would briefly reply, that in no one shape that it could present itself, would it be more questionable. The Hon. Gentleman (*Mr. Sheridan*) had suggested this shape in order to aggravate and load it with every degree of odium with which it could be burdened; and from this motive alone, was he actuated to call for it in such a shape. To another observation which had fallen from another Right Hon. Gentleman, who had asked why the Prince's establishment should be augmented from 65,000*l.* to 138,000*l.* a year, he would but remind the House of the establishments which were usually made for heirs of considerable families, when advanced into a married state; and then it would be discerned the proportion which a Prince of Wales's establishment should bear to that which it had been; and he saw no inconsistency in this with his former opinion of 72,000*l.* being an ample provision for him in 1787 when single. He felt on his part, and most feelingly lamented the full force of many objections which had been pressed home by Gentlemen from the opposite side of the House, on the breach of that promise which had been pledged to Parliament when it had interfered in the Prince's debts before. But it was not a question then, whether they should measure the past proceedings by the strict and severe rules of a rigid inquisition, but whether, upon a feeling and candid consideration, they should make that provision for his Royal Highness and his illustrious consort, that would be necessary for their rank, station, and dignity?

nity? Whether they should, under any pretence of a specious liberality, deprive their Royal Highnesses of the comforts and enjoyments of life; or confer upon them freely and with the generosity becoming the character of the British nation, an ample, easy, and dignified establishment? This, he believed, was the only wise and provident means which could be adopted towards the accomplishment of so beneficial and politic an object. Gentlemen would divest themselves, he hoped, of all considerations, which on too narrow a scale would but lead to an unjust, however apparently wise, conclusion. They would keep before their eyes that they were providing for the Heir Apparent of the Crown; for an essential and vital part of the constitution; and whatever disorders and evils were suggested by Gentlemen to arise from any abuses, which the branches of Royal houses had created; they would the more vigorously oppose those abuses, by diverting them from the persons to whom they might have unfortunately attached themselves, and by giving a new direction as well as a purer course to the expenditure of the Prince, they would ensure in the safety of his person the general conservation of the state.

Mr. Milbank voted for the larger sum, considering the Prince as a component part of the constitution.

Mr. Sturt concluded the debate by saying, that in his mind the question was, whether, after the Prince had made a solemn pledge of his honour to the nation in 1787, not to incur debts, they would now agree to pay them?

Mr. Sheridan's amendment, by consent of the House, was withdrawn.

The House divided on the main question:

<i>Ayes</i>	-	-	-	148
<i>Noes</i>	-	-	-	93

Majority 55

Mr. Sheridan then, with a short preface, moved, That a proposition, having been made upon a message from the Throne, to make a further provision for his Royal Highness the Prince of Wales, it becomes the House to consider, whether this additional provision may not be made without laying any additional burden on the people, by the reduction of useless and inconvenient places.

The Chancellor of the Exchequer, without any observations on this motion, moved to adjourn.

Mr. Sheridan said, it would be idle for him to make any comment on the indecency of moving to adjourn, without inquiring whether the people might not be eased. He had done

done his duty in putting the House fairly to it—it had been too truly said, that to desire the House to make this provision for the Prince by a reduction of useless places, would be to cheat themselves: He could not charge them with such folly.

The House then divided on the motion to adjourn :

<i>Ayes</i>	-	-	153
<i>Noes</i>	-	-	29
<i>Majority</i>			124

The House adjourned at two o'clock.

HOUSE OF LORDS.

Jovis, 28 Die Maii 1795.

PROTEST.

Motion being made and question read, That “a Bill intituled, An Act for augmenting the royal corps of artillery, and providing seafaring men for the service of the navy, out of the private men now serving in the militia, &c. &c.” be now read a second time ;

“ DISSIDENTIENT,

“ I. Because the honourable footing upon which the militia was established, and has hitherto subsisted, is, as far as relates to the augmenting the royal artillery, undermined by this Bill, inasmuch as it makes the militia a fund for the supply, and a drill for the accommodation of another corps ; inasmuch as it reduces this constitutional force below the numbers covenanted by the country to be always kept complete ; and inasmuch as it supplies the deficiencies it creates, not in the regular and creditable manner by which the militia is constitutionally to be supplied, and supplied to a certainty, but by means, uncertain in their operation, by which it is constitutionally provided, in express terms, that it shall not be supplied.

“ II. Because upon the allegation of the *present conjuncture*, it establishes this measure without any express period to its duration, and without any clause against the precedent.

“ III. Because at a moment when the temper of the times, and our personal knowledge of late events in some corps, seem particularly to recommend a vigilance in the preservation of discipline and subordination, this Bill, in a most extraordinary and unprecedented manner, relaxes the authority of
the

the commanding officers over the objects of it, by suggesting to the latter a method which at any time, and on any motive, 'entitles them to their discharge.'

"IV. Because the several circumstances of disappointment as to the strength of their regiments, and of degradation by the involuntary removal of their selected and most instructed men, by the replacing of them in a less certain and less creditable manner, and by converting the regiments into a recruiting fund for another corps, form an impolitic and undeserved return to such militia officers (and it has been admitted in the debates on this Bill that there are many such) as have merit with the Public. And

"I conceive it the more necessary to mark my disapprobation, and express my apprehension of the consequences of this innovation, as I know the militia contains a fund for recruiting, not only the artillery, but every other corps in his Majesty's service, much too good not to be ardently coveted, and (however the intention be disclaimed at present) I fear resorted to (as I am sure it may be upon the same reasoning), when Parliament shall have once notified the principle of making the militia subservient to the efficiency of other corps.

"RADNOR."

A P P E N D I X.

APPENDIX.

u
n
l
c
h
j
t
M
E
n
je
L
le
co

je
po
va
po
fa

APPENDIX:

CONTAINING

TREATIES, STATE PAPERS, PARLIAMENTARY
REPORTS, AUTHENTIC DOCUMENTS, &c.

CONVENTION

Between his Britannic Majesty and the Emperor of Germany.

Signed at Vienna, the 4th of May 1795.

L'EMPEREUR, et le Roi de la Grande Bretagne, étant également convaincus de la nécessité d'agir avec vigueur et énergie contre l'ennemi commun, afin de procurer à leurs états respectifs une paix sûre et honorable, et de préserver l'Europe du danger dont elle est menacée, leurs Majestés Imperiale et Britannique ont jugé à-propos de s'entendre entr'elles sur les mesures à adopter pour la campagne prochaine, et de se concerter à cet effet sur telles stipulations, qui puissent le mieux contribuer au but salutaire de leurs intentions ci-dessus mentionnées. C'est dans cette vue, que leurs Majestés ont nommé leurs Plenipotentiaires respectifs; savoir, sa Majesté Imperiale, son Conseiller intime actuel, et Ministre des Affaires Etrangères, Baron de Thugut, Commandeur de l'Ordre de St. Etienne; et sa Majesté Britannique, le Chevalier Morton Eden, Conseiller Privé de sa Majesté, Chevalier de l'Ordre du Bain, Envoyé Extraordinaire et Ministre Plenipotentiaire de sa dite Majesté auprès de la Cour de Vienne: Lesquels, après s'être communiqués leurs pleinpouvoirs respectifs, sont convenus des articles suivans.

ARTICLE I.

Pour aider les efforts que sa Majesté Imperiale desire de faire, et pour lui faciliter les moyens de faire valoir les ressources de ses états, pour la défense de la cause commune, sa Majesté Britannique s'engage à pro-

THE Emperor, and the King of Great Britain, being equally convinced of the necessity of acting with vigour and energy against the common enemy, in order to procure to their respective dominions a safe and honourable peace, and to preserve Europe from the danger with which it is threatened, their Imperial and Britannic Majesties have thought proper to concert together upon the measures to be adopted for the next campaign, and to agree, for this purpose, on such stipulations as may best conduce to the salutary object of their intentions already mentioned. With this view, their Majesties have appointed their respective Plenipotentiaires; that is to say, his Imperial Majesty, his Privy Councillor actual, and Minister for Foreign Affairs, Baron de Thugut, Commander of the Order of St. Stephen; and his Britannic Majesty, Sir Morton Eden, Knight of the Bath, one of his Majesty's Most Honourable Privy Council, and his Envoy Extraordinary and Minister Plenipotentiary at the Court of Vienna: Who, after having communicated to each other their respective full powers, have agreed upon the following articles.

ARTICLE I.

In order to assist the efforts which his Imperial Majesty is desirous of making, and to facilitate to him the means of bringing forward the resources of his dominions, in the defence of the common cause, his Bri-

3 U 2

tanian

proposer à son Parlement de garantir le payement régulier des dividendes, par semestre, sur la somme de quatre millions six cents mille livres sterling, laquelle est, ou doit être levée, pour le compte de sa Majesté Imperiale, sous les conditions et de la manière énoncée dans les deux octrois, dont la teneur est inséré à la fin de la présente convention; sa Majesté Imperiale s'engageant solennellement, vis-à-vis de sa Majesté Britannique, de pourvoir régulièrement à l'acquit des payemens qui écherront en suite du dit emprunt, de façon que ces payemens ne puissent jamais devenir à charge aux finances de la Grande Bretagne.

tannic Majesty engages to propose to his Parliament to guaranty the regular payment of the half-yearly dividends, on the sum of four millions six hundred thousand pounds sterling, which is, or is to be raised, on account of his Imperial Majesty, on the terms and in the manner specified in the two engagements or octrois, the tenour of which is annexed to this convention; his Imperial Majesty solemnly engaging to his Britannic Majesty that he will make due provision for the regular discharge of the payments which shall become due in consequence of the said loans, so as that those payments shall never fall as a burden on the finances of Great Britain.

ARTICLE II.

En retour de ce qui est stipulé dans l'article précédent, et au moyen de la levée du dit emprunt de quatre millions six cents mille livres sterling, assurée par la garantie Britannique, sa Majesté Imperiale emploiera à ses différentes armées, dans la campagne prochaine, un nombre de troupes, qui non seulement sera au moins de deux cents mille hommes effectifs, mais que sa Majesté Imperiale s'efforcera de porter même au dessus de ce nombre, autant qu'il sera possible; et lesquelles troupes agiront contre l'ennemi commun, en conformité des dispositions convenues dans un article secret, qui fait partie de la présente convention.

ARTICLE II.

In return for the stipulation contained in the preceding article, and by the means of the said loan of four millions six hundred thousand pounds sterling, assured by the guaranty of Great Britain, his Imperial Majesty shall employ in his different armies, in the ensuing campaign, a number of troops, which shall not only amount at least to two hundred thousand effective men, but which his Imperial Majesty will exert himself, as much as possible, to augment even above that number; which troops shall act against the common enemy, according to the dispositions agreed upon by a secret article, forming a part of this convention.

ARTICLE III.

L'Empereur verra avec plaisir qu'il soit destiné à la suite de ses armées, de la part de sa Majesté Britannique, des officiers généraux, ou autres personnes de confiance, à qui l'on fournira volontiers tous les renseignemens, et toutes les informations nécessaires, sur l'état et les forces des armées, et sur le nombre des troupes dont elles seront composées; et si, pour faciliter et accélérer la correspondance et les communications entre les armées des deux Cours, sa

Majesté

ARTICLE III.

The Emperor will see with pleasure the appointment of general officers, or other persons of confidence, to be present with his armies on the part of his Britannic Majesty, to whom all the necessary communication and information will be furnished, with respect to the state and strength of the armies, and the number of troops of which they may consist; and if, in order to facilitate and promote the correspondence and communication between the armies of the two Courts, his

Majesté Imperiale juge à propos d'envoyer quelqu' officier, ou autre personne, de sa part, aux armées Angloises, ils recevront également des Généraux Commandants de sa Majesté Britannique toutes les marques de confiance les plus analogues à l'union étroite heureusement subsistante entre les deux Cours.

his Imperial Majesty shall think proper to send an officer, or other person, on his part, to the English armies, they shall, in like manner, receive from the Generals of his Britannic Majesty all such marks of confidence as are most analogous to the intimate union so happily subsisting between the two Courts.

ARTICLE IV.

Il est convenu expressement que la sûreté du dit emprunt doit porter sur tous les revenus de tous les differens états héréditaires de sa Majesté Imperiale. Il sera pris, de la part de sa Majesté Imperiale, dans chacun de ces états respectifs, toutes les mesures nécessaires pour donner au dit emprunt, et aux engagements pour le payement regulier des dividendes, par semestre, qui écherront en conséquence du dit emprunt, un plein et legal effet et validité; de sorte que si jamais il arrivoit, par quelque raison que ce fût, qu'un payement quelconque étoit en retard, après l'époque de son échéance, les porteurs des obligations déjà contractées, ou qui seront contractées, de la part de sa Majesté Imperiale, pour le dit emprunt, pourront poursuivre en justice les receveurs ou trésoriers des revenus de sa Majesté Imperiale, dans chacun des dits états respectivement, au choix des dits porteurs, et pourront recouvrer d'eux, et de chacun d'eux, en dûe forme de loi, le montant complet de tel payement ainsi échu, de la même manière que les particuliers sont admis dans les dits états respectivement de poursuivre et de recouvrer leurs justes droits contre d'autres particuliers.

ARTICLE V.

Si contre toute attente arrivoit jamais, qu'une partie quelconque des dividendes échus sur les dits emprunts, fût payée par le Gouvernement Britannique, en conséquence du défaut des payemens stipulés de la part de sa Majesté Imperiale, il est convenu, que de tels payemens se feront à la Banque d'Angleterre, et seulement dans le cas où on remettra

les

ARTICLE IV.

It is expressly agreed, that the said loan is to rest on the security of all the revenues of all the different hereditary dominions of his Imperial Majesty. All the necessary measures shall be taken on the part of his Imperial Majesty, in each of the said dominions respectively, to give full and legal effect and validity to the said loan, and to the engagements for the regular payment of the half-yearly dividends which shall fall due in consequence thereof, so that if at any time there should happen, from whatever cause, to be any delay in any of the payments, after the period of their falling due, the holders of the securities granted or to be granted, on the part of his Imperial Majesty, for the said loan, may sue the receivers or treasurers of his Imperial Majesty's revenues, in any of the said dominions respectively, at the option of such holders, and may recover from them, or any of them, by due course of law, the full amount of such payments having so fallen due, in the same manner as any private individuals are admitted in the said dominions respectively to prosecute and recover their just rights against other private persons.

ARTICLE V.

If it should ever happen that, contrary to all expectation, any part of the dividends due on the said loans should, in consequence of the failure of the payments stipulated to be made by his Imperial Majesty, be paid by the British Government, it is agreed that such payments shall be made at the Bank of England, and only on the delivery of the tallies or certificates

cases

les coupons ou certificats des dividendes ainsi payées respectivement ; et chaque coupon ou certificat qui sera ainsi remis, servira de sûreté valable et légale, et donnera au porteur le droit de poursuivre tel receveur ou trésorier des revenus de sa Majesté Imperiale qu'il jugera à propos, et dans tel état héréditaire de sa dite Majesté que bon lui semblera ; et de recouvrer d'eux, et de chacun d'eux, le montant complet de la somme mentionnée dans le dit coupon ou certificat, avec les intérêts de la dite somme, à raison de cinq pour cent par an, à compter de la date du paiement effectué par le Gouvernement Britannique. Et d'autant que, dans les conditions arrêtées pour la levée du dit emprunt, il est convenu, qu'il sera mis en dépôt dans la Banque d'Angleterre, comme sûreté subsidiaire du dit emprunt, des actions hypothécaires de la Banque de Vienne, pour une somme dans la proportion de quatre à trois de l'emprunt à lever ; il est arrêté de plus, que dans le cas d'un tel paiement quelconque effectué par le Gouvernement Britannique, le gouverneur et la compagnie de la dite Banque d'Angleterre seront autorisés à retirer du dit dépôt une quantité suffisante des dites actions, pour porter la proportion à quatre livres pour chaque trois, ainsi payées par le Gouvernement Britannique : Et le dit Gouvernement pourra se servir de ces actions, soit comme une sûreté ou droit de réclamation sur la Banque de Vienne, jusqu'au remboursement de la dite somme avec ses intérêts, ou il pourra dès lors les négocier en autant qu'il sera nécessaire pour effectuer ce remboursement, selon que le dit Gouvernement le jugera plus convenable, et que la quantité d'actions ainsi retirée, sera mise à l'encontre ou déduite de telle quantité d'actions, qui, selon les termes du dit emprunt, pourroit dans la suite être retirée du dit dépôt, à mesure du rachat graduel des obligations et du paiement des annuités, d'après ce qui est spécifié dans les conditions du dit emprunt.

cates of the dividends so respectively paid ; and every such tally or certificate so delivered up shall be a valid and legal security, so as to enable the holder thereof to sue any of the receivers or treasurers of his Imperial Majesty's revenues in any of his dominions aforesaid, at the option of such holder, and to recover from them, or any of them, the full amount of the sum expressed in such tally or certificate, with interest thereon at the rate of five per cent. per annum, to be reckoned from the date of the payment made by the British Government. And whereas it is provided, in the terms agreed upon for raising the said loans, that, as a collateral security for the said loans, there shall be deposited in the Bank of England mortgage actions of the Bank of Vienna, for a sum, in the proportion of four to three of the loan to be so raised ; it is further agreed, that the governor and company of the said Bank shall, in case of any such payment as aforesaid being made by the British Government, be authorized to withdraw from the said deposit such a quantity of the said actions, as shall be required to make up at least the proportion of four pounds for every three which shall be so paid by the British Government, to be by the said Government either used as a security or claim upon the Bank of Vienna, until repayment of the said sum, and of the interest due thereon, or negotiated at the time to such extent as may be necessary in order to effect such reimbursement, according as to the said Government may seem most eligible ; and that the quantity of actions so withdrawn shall be deducted from or set off against any quantity, which, according to the terms of the said loan, might thereafter be to be withdrawn from the said deposit, in proportion to the gradual redemption of the bonds, and the payment of the annuities, as is specified in the conditions of the said loan.

ARTICLE VI.

Et d'autant que certaines avances ont été faites de la part du Gouvernement Britannique à sa Majesté Impériale, à compte et par forme d'emprunt ; il est arrêté que les dites avances seront remboursées à Londres, dans le cours de la présente année, contre la restitution des recepissés fournies par les Généraux commandants en chef de l'armée Impériale, et conformément aux sommes portées dans les dites recepissés : Ces avances seront remboursées au plus tard, en deux parties égales, dans les deux mois de Novembre et de Décembre, de façon que le total soit remboursé avant l'expiration de la présente année.

ARTICLE VII.

La présente convention sera ratifiée de part et d'autre, sans aucun délai, et l'échange des ratifications, expédiées en deux formes, se fera dans l'espace de deux mois, au plus tard.

En foi de quoi, nous soussignés, munis des pleinpouvoirs de leurs Majestés Impériale et Britannique, avons en leurs noms signé le présent acte, et y avons fait apposer le cachet de nos armes.

Fait à Vienne, le 4 Mai, 1795.

(L. S.) Le B^{on} de THUGUT.

Suit la Teneur Premier Octroi.

FRANCOIS, par la Grace de Dieu, Empereur des Romains, &c. &c.

A tous ceux qui ces présentes verront, salut : Les dépenses que nous sommes dans le cas de faire pour continuer nos efforts contre un ennemi destructeur, exigeant que, sans trop surcharger nos sujets, nous nous procurions des ressources extraordinaires

ARTICLE VI.

And whereas certain advances have been made by the British Government to his Imperial Majesty, on account and by way of loan ; it is agreed that the same shall be repaid at London in the course of the present year, in exchange for the receipts given by the Generals commanding in chief the Imperial army, and conformably to the sums contained in the said receipts. The said advances shall be reimbursed at latest, in two equal parts, in the months of November and December, so that the total shall be reimbursed before the expiration of the present year.

ARTICLE VII.

The present convention shall be ratified on each side without any delay, and the exchange of the ratifications, expedited in due form, shall be made within the space of one month at latest.

In witness whereof we, the undersigned, being furnished with the full powers of their Imperial and British Majesties, have in their names signed the present act, and have thereto set the seal of our arms.

Done at Vienna, the 4th day of May, 1795.

(L. S.) MORTON EDEN.

Tenour of the First Octroi.

FRANCIS, by the Grace of God, Emperor of the Romans, &c. &c.

To all those who shall see these presents, greeting : The expenses which we find it necessary to incur, for continuing our efforts against a destructive enemy, requiring that, without too far burdening our subjects, we should procure extraordinary

ordinaires ; nous, par avis de nos très-cher, chers et feaux, les Trésorier-Général, Conseillers et Commis de nos Domaines et Finances, avons à la délibération de son Altesse Royale, notre très-cher et bien-aimé, l'Archiduc Charles Louis d'Autriche, Prince Royal de Hongrie et de Bohême, notre Lieutenant-Gouverneur et Capitaine-Général des Pays Bas, et où notre Chancelier de Cour, avons résolu de faire en Angleterre un emprunt, conformément aux clauses et conditions suivantes.

1. Il sera ouvert, dans la ville de Londres, chez Walter Boyd, Paul Benfield, et Jacques Drummond, négocians à Londres, sous la raison de Boyd, Benfield, et Compagnie, banquiers de sa Majesté, nommés à cet effet, un emprunt de trois millions de livres sterling, payable en argent comptant.

2. Une partie de cet emprunt consistera en obligations qui seront signées des dits Boyd, Benfield, et Compagnie, ou par un des individus qui composent la dite maison ; et ces obligations pourront être de telles sommes qu'on jugera à-propos.

3. Il sera formé de ces obligations pour un capital de deux millions cinq cent mille livres sterling, portant intérêts à trois pour cent par an. Les prêteurs ne pourront en exiger le remboursement ; mais nous nous réservons la faculté de les rembourser au pair, c'est-à-dire à raison de cent livres sterling d'argent pour cent livres sterling de capital.

4. Ce capital de deux millions cinq cent mille livres sterling, sera évalué aux prêteurs à soixante livres sterling d'argent pour cent livres sterling de capital.

5. L'autre partie de cet emprunt consistera en obligations qui seront également signées par la dite maison de Boyd, Benfield, et Compagnie, ou par un des individus qui composent la dite maison, portant l'en-

gagement

nary resources ; we have, by the advice of our most dear, our dear and trusty the Treasurer-General, Counsellors and Commissioners of our Domains and Finances, and upon the deliberation of his Royal Highness, our most dear and well-beloved brother, the Archduke Charles Lewis of Austria, Prince Royal of Hungary and Bohemia, our Lieutenant-Governor and Captain-General of the Low Countries, our Chancellor of Law having been heard, resolved to raise a loan in England, conformably to the clauses and conditions following.

1. A loan of three millions of pounds sterling, payable in ready money, shall be opened in the city of London, at the house of Walter Boyd, Paul Benfield, and James Drummond, Merchants, in London, in the firm of Boyd, Benfield, and Co. Bankers to his Majesty, appointed for that purpose.

2. A part of the said loan shall consist in bonds, to be signed by the said Messrs. Boyd, Benfield, and Co. or by one of the individuals belonging to the said firm ; and those bonds may be for such sums as shall be judged proper.

3. A capital of two millions five hundred thousand pounds sterling shall be raised by those bonds, bearing interest at three per cent. per annum. The lenders shall not demand the repayment thereof, but we reserve to ourself the right of redeeming them at par, viz. at the rate of one hundred pounds sterling in money, for one hundred pounds sterling of capital.

4. The said capital of two millions five hundred thousand pounds sterling shall be valued to the lenders at sixty pounds sterling in money for one hundred pounds sterling of capital.

5. The residue of the said loan shall consist in bonds, to be likewise signed by the said house of Boyd, Benfield, and Co. or by one of the individuals belonging thereto, containing an engagement to pay, for the

gagement de payer, pendant vingt-cinq ans, des annuités à raison de dix pour cent du capital fourni ; et ces annuités, pendant vingt-cinq ans, tiendront lieu, aux prêteurs, tant du capital que des intérêts sur cette partie de l'emprunt.

6. Il y aura en tout de ces annuités, pour cent cinquante mille livres sterling, qui, à raison de cent livres de capital pour dix livres d'annuités, produiront la somme d'un million cinq cent mille livres sterling, faisant l'autre partie de l'emprunt.

7. Les intérêts des obligations à trois pour cent, et les annuités à terme, prendront cours du première Mai, 1794, et seront payés de six mois en six mois, au première Mai et au première Novembre de chaque année, chez les dits Boyd, Benfield, et Compagnie, ou au bureau qui sera désigné par eux à cet effet.

8. Quoique les remboursemens des capitaux des rentes à trois pour cent ne soient exigibles en aucun temps, nous nous engageons néanmoins de faire remettre à la dite maison de Boyd, Benfield, et Compagnie, une somme de cinq mille livres sterling par mois, pendant l'espace de vingt-cinq ans, que dureront les annuités, laquelle somme de cinq mille livres sterling par mois, pendant l'espace de vingt-cinq ans, ou soixante mille livres sterling par an, sera employée par la dite maison de Boyd, Benfield, et Compagnie, sous la surveillance ou le contrôle de cinq personnes (qui seront nommées par nous à cet effet) au rachat, au prix du jour, des obligations portant intérêt à trois pour cent ; et non seulement les dites soixante mille livres sterling par an, mais aussi les intérêts provenant de toutes les dites obligations qui auront été successivement rachetées, seront invariablement employés à l'achat d'autres des dites obligations, afin qu'il soit ainsi maintenu un fond d'amortissement annuel, pour le rachat

the term of twenty-five years, annuities at the rate of ten per cent. of the capital lent ; and the said annuities for twenty-five years shall be in full to the lenders, as well for the capital as for the interest on this part of the loan.

6. The said annuities shall amount in the whole to one hundred and fifty thousand pounds sterling, which, at the rate of one hundred pounds capital for ten pounds annuity, will produce the sum of one million five hundred thousand pounds sterling, forming the other part of the said loan.

7. The interest of the bonds, at three per cent. and the annuities for the term, shall be computed from the first of May 1794, and shall be paid half-yearly, on the first of May and the first of November in each year, at the house of the said Messrs. Boyd, Benfield, and Co. or at the office which shall be appointed by them for that purpose.

8. Although the redemption of the capital stock of perpetual annuities at three per cent. is not demandable at any period, we engage, nevertheless, to remit to the said house of Boyd, Benfield, and Co. the sum of five thousand pounds sterling, monthly, during the term of twenty-five years, for which the annuities shall continue ; which sum of five thousand pounds sterling, per month, during the term of twenty-five years, or sixty thousand pounds sterling per annum, shall be applied by the said house of Boyd, Benfield, and Co. under the direction and controul of five persons (who shall be appointed by us for that purpose), to the buying up, at the market price, of the bonds bearing interest at three per cent. ; and not only the said sum of sixty thousand pounds sterling per annum, but also the interest accruing from all the bonds which shall have been successively bought up, shall be invariably applied to the purchase of other bonds, for the purpose of thus keeping up an annual sinking fund for the redemption of the said bonds,

de ces obligations jusqu'à leur extinction, de soixante mille livres sterling par an, augmenté par les intérêts de toutes les obligations qui auront été successivement rachetées.

9. Les obligations, à la tête desquelles le présent octroi sera imprimé, seront conçues en ces termes; savoir,

Celles portant intérêt annuel de trois pour cent.

" Nous soussignés, à ce spécialement commis par sa Majesté Imperiale et Royale Apostolique, reconnaissons avoir reçu de la somme de livres sterling, pour lesquels, en notre susdite qualité, nous l payerons un intérêt annuel, en deux termes, de sterling, dont le premier paiement écherra le 1^{er} Novembre, 1794, et cela jusqu'au rachat du dit capital, qui sera fait conformément à l'octroi ci-dessus."

" Fait à Londres, le

Et pour les obligations en annuités à terme.

" Nous soussignés, à ce spécialement commis par sa Majesté Imperiale et Royale Apostolique, reconnaissons avoir reçu de la somme de livres sterling, pour lesquels, en notre susdite qualité, nous l payerons, pendant vingt-cinq années, la somme de laquelle tiendra lieu tant du capital que des intérêts."

" Fait à Londres, le

10. Afin de pourvoir à la sûreté tant du capital que des intérêts annuels de cet emprunt, et pour donner à cette occasion les sûretés convenables et les plus satisfaisantes; nous engageons et affectons par ces présentes,

until their final extinction, to the amount of sixty thousand pounds sterling per annum, augmented by the interest of all the bonds which shall have been successively bought up.

9. The bonds, at the head of which the present octroi shall be printed, shall be conceived in these terms, viz.

For those bearing an annual interest of three per cent.

" We, the undersigned, being thereto specially authorised by his Imperial and Royal Apostolic Majesty, acknowledge to have received of the sum of pounds sterling, for which, in our said quality, we will pay h a yearly interest, in two payments, of sterling, the first payment whereof will be due on the first of November 1794, and to continue till the redemption of the said capital, which shall be made conformably to the above octroi."

" Done at London, the

And for the bonds for the annuities for a term.

" We, the undersigned, being thereto specially authorised by his Imperial and Royal Apostolic Majesty, acknowledge to have received of the sum of pounds sterling, for which, in our said quality, we will pay h during twenty-five years, the sum of which shall be in full, both for the said capital and for the interest."

" Done at London, the

10. In order to provide for the security both of the capital and the yearly interest of this loan, and to give upon this occasion the most satisfactory and proper securities, we engage and assign, by these presents, to those who

sentes, envers ceux qui fourniront au dit emprunt, l'exercence quitte et libre de toute charge de tous nos revenus royaux à concurrence de la dite somme, et spécialement les revenus de nos provinces des Pays Bas.

11. Nous nous engageons, en outre, de faire remettre, à notre choix, soit à la maison de Veuve de Nettine et Fils, à Bruxelles, soit à celle de Boyd, Benfield, et Compagnie, à Londres, ponctuellement de six mois en six mois, avant le premier Mai et premier Novembre de chaque année, la valeur de deux cent quatre-vingt-cinq mille livres sterling par an, pendant l'espace de vingt-cinq ans, en tant que cette somme sera nécessaire pour opérer les paiemens et les achats des capitaux stipulés par cet octroi, de manière que les deniers nécessaires à l'acquit des intérêts et des annuités, et au rachat des obligations, soient réalisés entre les mains des dits Boyd, Benfield, et Compagnie, à temps pour les échéances de chaque semestre, et pour les achats tous les mois.

12. Pour la sûreté subsidiaire du dit emprunt, il sera déposé entre les mains des dits Boyd, Benfield, et Compagnie, qui, de leur côté, devront en faire dépôt à la Banque d'Angleterre, des actions hypothécaires de la Banque de Vienne, pour une somme de la valeur de quatre millions livres sterling, portant intérêt à cinq pour cent. montant des capitaux nominaux de cet emprunt; et à mesure du rachat des obligations, portant intérêt à trois pour cent. et du paiement des annuités à terme, il sera retiré du dépôt une quantité d'actions de la Banque de Vienne, proportionnée aux paiemens et aux achats qui auront été faits.

13. Les prêteurs recevront chacun une portion égale d'obligations et d'annuités; de manière que celui qui aura souscrit pour cent livres sterling d'argent, recevra une obligation de quatre-vingt-trois livres six sols et huit deniers sterling, portant

who shall furnish the said loan, the clear surplus, free from all charge, of all our royal revenues, to the amount of the said sum, and especially the revenues of our provinces of the Low Countries.

11. We further engage to remit, at our option, either to the house of the Widow Nottine and Son, at Brussels, or to that of Boyd, Benfield, and Co. at London, punctually every six months, before the first of May and the first of November in each year, the amount of two hundred and eighty-five thousand pounds sterling per annum, during the term of twenty-five years, so far as the said sum shall be necessary for discharging the payments and redeeming the capitals, as stipulated by this octroi; so that the funds necessary for the payment of the interest and the annuities, and for the buying up the bonds, shall be realised in the hands of the said Messrs. Boyd, Benfield, and Co. in time, when each half-yearly payment becomes due, and for the purchases in each month.

12. As a collateral security for the said loan, there shall be deposited in the hands of the said Messrs. Boyd, Benfield, and Co. to be deposited by them in the Bank of England, actions in mortgage of the Bank of Vienna, to the amount in value of the sum of four millions sterling, bearing interest at the rate of five per cent. on the amount of the nominal capitals of this loan; and, according to the gradual redemption of the bonds bearing interest at three per cent. and of the payment of the annuities for the term, a quantity of actions of the Bank of Vienna shall be withdrawn from the said deposit, in proportion to the payments and redemptions which shall have been made.

13. Each of the lenders shall receive an equal portion of bonds and annuities, so that such of them who shall have subscribed one hundred pounds sterling in money will receive a bond for eighty-three pounds six shillings and eight pence sterling,

intérêt à trois pour cent. et une autre obligation pour le paiement d'une annuité de cinq livres sterling, pendant vingt-cinq ans.

bearing interest at three per cent. and another bond for the payment of an annuity of five pounds sterling for twenty-five years.

Mandons en conséquence à tous ceux qu'il appartient, de se régler et conformer selon ce ; renonçons au surplus par ces présentes, tant pour nous, que pour nos héritiers et successeurs, à toute et quelconque exception et bénéfice, tel qu'il puisse être, dont on voudroit se servir pour diminuer ou affoiblir les obligations que nous contractions par ces présentes, et dont nous assurons et promettons l'exaet et inviolable accomplissement ; et dérogeons, pour cette fois, aux ordonnances et instructions qui existent pour la conduite et direction de nos domaines et finances, par lesquels il est défendu de les aliéner, vendre, engager, soit en tout, soit en partie, dont nous avons relevé, et relevons, ceux de notre conseil des domaines et finances, ceux de notre chambre des comptes, et tous autres que ce regardera. Les déchargeons en conséquence, pour ce cas, du serment qu'ils ont prêté sur l'observance et l'exécution des mêmes ordonnances et instructions, lesquelles resteront néanmoins pour tous autres cas, points et articles, en leur pleine force et vigueur ; et seront ces mêmes présentes exhibées tant à ceux de notre conseil des domaines et finances, que de notre chambre des comptes aux Pays Bas, pour y être respectivement vérifiées, entérinées et enregistrées, selon leur forme et teneur, et ensuite être remises à la maison de Boyd, Benfield, et Compagnie, à Londres, pour la sûreté des intérêts.

Car tel est notre bon plaisir.

En témoignage de quoi, nous avons signé les présentes, et nous y avons fait mettre notre grand scel. Donné à notre quartier-général, en la ville de Tournay, le dix-huit Mai, l'an de grace mil sept cent quatre-vingt-quatorze, et de nos règnes de
l'Empire

We therefore command all whom it may concern to govern and conform themselves accordingly : We renounce, moreover, by these presents, as well for ourself, as for our heirs and successors, all exceptions and advantages whatsoever, which might be claimed for diminishing or invalidating the obligations which we have contracted by these presents, and of which we assure and promise the exact and inviolable accomplishment ; and we derogate, in this instance, from the ordinances and instructions now existing for the conduct and direction of our domains and finances, by which it is prohibited to alienate, sell, or charge them, either in the whole or in part ; from which we have released, and do release, those of our council for our domains and finances, those of our chamber of accounts, and all others whom it may concern. We discharge them in consequence, on this occasion, from the oath which they have taken for the observance and execution of the said ordinances and instructions, which, nevertheless, in all other cases, points, and articles, shall remain in their full force and vigour. And these presents shall be exhibited as well to those of our council of domains and finances, as of our chamber of accounts, in the Low Countries, to be there respectively verified, confirmed, and registered, according to their form and tenour, and afterwards transmitted to the house of Boyd, Benfield, and Co. at London, for the security of the concerned.

For such is our good pleasure.

In witness whereof we have signed these presents, and caused our great seal to be set thereto. Given at our head quarters in the city of Tournay, the 18th of May, in the year of our Lord 1794, and of our reigns of the Roman Empire the second,
and

l'Empire Romain le deuxième, et de Hongrie et de Bohême le troisième.

and of Hungary and Bohemia, the third year.

(Signed) FRANCIS.

TRAUTT ^{VI.}
BY THE EMPEROR AND KING.
P. DU RIEUX.

Suit la Teneur du second Oétoi.

Tenour of the second Oétoi.

FRANCOIS, par la grace de Dieu, Empereur des Romains, &c. &c. A tous ceux qui ces présentes verront, salut :

FRANCIS, by the grace of God, Emperor of the Romans, &c. &c. To all who shall see these presents, greeting :

Les besoins de notre service exigeant une augmentation de ressources extraordinaires, nous avons résolu d'ouvrir un nouvel emprunt d'un million et six cents mille livres sterling, chez Walter Boyd, Paul Benfield, et Jacques Drummond, négocians à Londres, sous la raison de Boyd, Benfield, et Compagnie, aux mêmes engagements, conditions et stipulations que celui de trois millions de livres sterling, qui a été ouvert chez eux pour notre compte, par oétoi du dix-huitième Mai, 1794 ; lesquels engagements, conditions et stipulations sont tenus ici pour insérés, en raison de la proportion qui existe entre les sommes capitales des deux emprunts ; bien entendu, que pour la sûreté des prêteurs, tant de ceux qui se sont intéressés, ou qui s'intéresseront encore dans le premier emprunt de trois millions de livres sterling, que de ceux qui prendront part au présent, nous engageons, affectons et y destinons, par le présent oétoi, tous nos revenus royaux, dans nos états héréditaires, royaumes et provinces, sans exception ; nous obligeant au surplus, pour augmenter encore cette sûreté pour le second emprunt, comme nous l'avons fait pour le premier, de faire remettre à titre d'hypothèque subsidiaire aux dits Boyd, Benfield, et Compagnie, des actions hypothécaires de la Banque de Vienne, portant un intérêt de cinq pour cent. pour une somme proportionnée à ce même second emprunt, sur le pied stipulé dans l'article 12 de l'oétoi du dix-huitième Mai, 1794, réclamé ci-dessus. Car tel est notre bon plaisir.

The wants of our service requiring an augmentation of extraordinary resources, we have resolved to open a new loan of one million six hundred thousand pounds sterling, at the house of Walter Boyd, Paul Benfield, and James Drummond, merchants, at London, under the firm of Boyd, Benfield, and Co. upon the same engagements, conditions, and stipulations as that of three millions sterling, already opened by them on our account, by the oétoi of the 18th of May 1794 ; which engagements, conditions, and stipulations shall be deemed to be herein inserted, at the same rate of proportion as exists between the capital sums of the two loans ; provided that, for the security of the lenders, as well those who are or shall be concerned in the first loan of three millions sterling, as those who shall be parties in the present, we engage, assign, and destine thereto, by the present oétoi, all our royal revenues, in our hereditary dominions, kingdoms, and provinces, without exception ; engaging, moreover, in further augmentation of the security for the second loan, as we have done for the first, to remit, as a collateral security, to the said Messrs. Boyd, Benfield, and Co. actions in mortgage of the Bank of Vienna, bearing an interest of five per cent. for a sum proportioned to this second loan, upon the footing stipulated by the 12th article of the oétoi of the 18th of May 1794, above recited. For such is our good pleasure.

En

In

En témoignage de quoi nous avons
signé les presentes, et y avons fait
mettre notre grand scel. Donné a
Vienne, le quatrieme Mai, l'an mil
sept cent quatre-vingt-quinze, et de
nos regnes de l'Empire Romain et
etats héréditaires le troisième.

(Signed) FRANCIS.

In witness whereof we have signed
these presents, and caused our great
seal to be set thereto. Given at
Vienna, the 4th of May, in the year
of our Lord 1795, and of our reigns
of the Roman Empire and of the he-
reditary dominions the third year.

TRAUTT v.
BY THE EMPEROR AND KING.
P. DU RIEUX.

AN ACCOUNT

Of the several Sums paid from the Revenues of the Dutchy of
Cornwall during the Minority of his Royal Highness the
Prince of Wales, in pursuance of his Majesty's Warrants,
countersigned by the Lords Commissioners of the Treasury,
with the Dates of such Warrants.

21st July 1763	-	-	£ 12,000	0	0
21st May 1765	-	-	20,000	0	0
21st July 1766	-	-	16,478	11	2
8th July 1768	-	-	12,500	0	0
17th April 1769	-	-	11,000	0	0
6th April 1770	-	-	17,000	0	0
3d April 1771	-	-	8,700	0	0
16th April 1772	-	-	13,000	0	0
23d May 1773	-	-	12,800	0	0
4th August 1774	-	-	8,000	0	0
24th April 1775	-	-	12,000	0	0
17th April 1776	-	-	12,950	0	0
29th May 1777	-	-	9,720	0	0
16th April 1778	-	-	15,964	0	0
16th April 1779	-	-	6,640	0	0
26th June 1780	-	-	8,603	0	0
21st May 1781	-	-	15,700	0	0
25th March 1782	-	-	8,658	0	0
7th May 1783	-	-	12,051	0	0
			£ 233,764	11	2

P A P E R S

Presented to the House of Commons, pursuant to Addressee,
relative to Sir Charles Grey and Sir John Jervis.

No. 1.

Copy of a Proclamation at Martinique, the 30th March 1794, by General Sir Charles Grey, K. B. Commander in Chief of his Majesty's Forces in the West Indies, &c. &c. &c.

MARTINIQUE.

(L. S.)

By his Excellency Sir Charles Grey, K. B. General of his Majesty's Army, and Commander in Chief of his Forces in the West Indies, &c. &c. &c.

P R O C L A M A T I O N.

Whereas it is necessary, for the good of his Majesty's service, and the comfort and convenience of the inhabitants of this colony, that some temporary regulations should be made for the civil government thereof, till such time as his Majesty's pleasure is known, and such a regular system is adopted for the future arrangement of all matters, civil and military, as to his wisdom may seem most meet, for the maintenance of his own authority, and the happiness and prosperity of his new subjects; I do think fit, in his Majesty's name hereby to publish this my Proclamation, recalling to the exercise of their several functions all such officers of the Courts formerly established for the administration of distributive justice during the government of his late Most Christian Majesty, the respective duties of whom do not in any respect interfere with the authority which, under the present circumstances, it is necessary to leave whole and undivided in the hands of the General in command of this island. This is therefore to give notice to the inhabitants thereof, that all Courts which were formerly established under the authority of their late sovereign, for the determination of causes between individual and individual, will be permitted to exercise their several functions, without any application of the forms in use in the other British islands subject to his Majesty, until his royal will and pleasure shall be expressed to the contrary: And accordingly the several persons who may be now in this island, and were formerly officers of any of the Courts above described, are hereby required to give in their names, with the nature of their several employments, to Lieutenant General Robert Prescott, that the proper steps may be taken to restore them to the exercise of their several duties, and to supply such deficiencies as may have taken place. Given under my hand and seal at arms, at head quarters, Fort Royal, this thirtieth day of March 1794, and in the 34th year of his Majesty's reign.

CHARLES GREY.

By his Excellency the General's
command,
G. Fisher, Secretary.

GOD SAVE THE KING!

No.

No. 2.

*Proclamation at St. Lucia, by General Sir C. Grey, K. B. &c. &c.
&c. 5th April 1794.*

ST. LUCIA.

(L. S.)

CHARLES GREY.

By his Excellency Sir Charles Grey, K. B. General of his Majesty's Army, and Commander in Chief of his Forces in the West Indies, &c. &c. &c.

PROCLAMATION.

Whereas, since my Proclamation at the island of Martinique, bearing date the 30th day of March last, whereby the officers of the Courts formerly established for the administration of distributive justice during the government of his late Most Christian Majesty, now necessary to the exercise of the several functions thereof, have been directed to be recalled until his Majesty's royal will and pleasure shall be known; the British arms have spread farther conquest, and this colony is also added to his Majesty's empire, the reduction and possession of which make it necessary to resort to some temporary regulations, in like manner, for the good of his Majesty's service, and the comfort and convenience of his new subjects of this island. I do therefore think proper to issue this my Proclamation, allowing and commanding all civil officers of the Courts above mentioned, and heretofore established under the legally regulated government of their late sovereign for the determination of causes between individual and individual, to give in their names to Sir Charles Gordon, Colonel, commanding this island, that the proper steps may be taken to place them in the execution of their ancient duties. And inasmuch as this colony and its government were under the superior controul of the administration of the island of Martinique, to which references and appeals were made in the prosecution of civil causes; and it may be consistent to restore the same forms to the same channels, I do further make known, that when the usual courts shall be duly established in Martinique, those of this island are to be regulated thereby accordingly, until the King's pleasure be signified relative thereto; but the restoration of civil employments above mentioned, and the regulation herein expressed, are not in any wise meant or intended to interfere with, or to be independent of the authority reposed in the military command of this island. Given under my hand, and seal at arms, at head quarters in the island of St. Lucia, the 5th day of April 1794, in the 34th year of his Majesty's reign.

By his Excellency the General's
command,

G. Fisher, Secretary.

GOD SAVE THE KING!

No. 3.

London, 28th August 1794.

Copy of a Memorial presented to his Grace the Duke of Portland, praying for an additional Military and Naval Force in the West India Islands; and on the Contributions imposed on the Inhabitants of the French captured West India Islands.

To his Grace the Duke of Portland, one of his Majesty's Principal Secretaries of State.

The Memorial of the West India Planters and Merchants;

Sheweth,

That your Memorialists are not insensible of the attention of his Majesty's government to the security of the British possessions in the West Indies; and when they presume to intrude upon your Grace with a representation of their opinions and wishes upon a subject so importantly interesting to the public revenue, and to the private fortunes of many of his Majesty's subjects, they are not induced thereto by a distrust that the same exertions will not be continued to maintain and secure such valuable dependencies; but they humbly conceive that their local knowledge may enable them to suggest some useful ideas respecting the particular protection of the several islands.

That your Memorialists, fully satisfied that the necessary measures for maintaining the ascendancy of the British arms in the British sugar colonies collectively will be pursued by his Majesty's government, have only to express the anxiety they feel in consequence of a late event in the West Indies, by which it is proved that an armament may sail undiscovered from the enemy's ports, sufficient in point of naval and military force to do irreparable injury in any of the British islands, against which the attack may be directed. This anxiety is not a little increased, when they reflect upon those principles and opinions propagated by the agents of the French Convention, which have a direct tendency to disturb the settled colonial system of all the islands; to impair, if not destroy, the necessary respect and attachment to all established government; and to convert to hostility those who on former occasions, previous to the promulgation of the doctrines already noticed, were active in their co-operations to resist and defeat the common enemy.

That the nature of all property in the West Indies makes it peculiarly necessary at this juncture that each island should possess a force sufficient for its protection against predatory attacks of an active and destroying enemy, fully acquainted with the strength or resources of all our West India colonies.

That the possession of an island for a few days by the enemy, by such an enemy as the whole civilized world has now known for the first time, might produce the destruction of private property equal in value to many millions, and which at this time contributes largely to the support of the public revenue.

That your Memorialists are sensible the possession of the French islands, is a solid security against permanent conquest of those belong-

ing to Great Britain; and that if unfortunately any particular island should be captured, the enemy would not be able to hold it long; they therefore do not solicit protection for such island against powerful armaments employed to contend for empire in those seas, but only wish to be prepared against predatory attacks.

That your Memorialists are given to understand the number of troops in each separate island is at this time far short of the peace establishment, and unequal to resist an enemy not more powerful than the armaments which have lately made a descent on Guadeloupe, unless early measures be taken to provide for the respective security of all the islands, by increasing the garrisons of each, by stationing a naval force at those islands, where it may be safe during the hurricane season, so as to be ready at all times for purposes of defence, or to convey intelligence of any hostile attempts to the place where the main British force may be stationed.

That your Memorialists feel deep and unfeigned regret in being obliged to present another essential matter to the consideration of your Grace, imposed upon them by a just and reasonable regard for their own interest, and by a duty equally urgent upon their feelings, which they owe to themselves, and friends and correspondents resident in the colonies.

That when the information was first received in this country that a contribution or commutation for relinquishing an assumed right to a general plunder of all property in the captured French islands in the West Indies was claimed and enforced, your Memorialists did not give perfect credit to it, especially as the communication was confined to one or two more mercantile houses: That they however felt so much alarmed, as to desire the gentlemen who had received the letters respecting it would lay before his Majesty's ministers the information they had received; when they had the satisfaction to understand from Mr. Pitt, that this proceeding, in the shape in which it then appeared to him, was subject to much objection, and would in his opinion be disapproved by his Majesty's government; that since that period the fact is established beyond a doubt, and the ruinous detail of these acts of rigour clearly ascertained.

That your Memorialists, not as public censors, but as a body deeply interested in the due observance of those distinctions between public and private property, by which in modern times the rights of conquest have been qualified, humbly conceive, that the man who in the moment of danger exerts himself for the protection of his country, does not thereby subject to military execution all his property, wherever situated, within the range of the conqueror's sword; and that the late deviation from the general rule of public warfare hitherto observed by civilized nations, is of a nature eventually to have very fatal consequences to your Memorialists.

That if the fortune of war should give to the enemy the possession of any of our islands, the severe measures lately enforced against the inhabitants of the French conquered islands may be retaliated, and extended to the ruin of your Memorialists, and the inhabitants of such islands as may be taken.

That

That when Grenada, one of the British islands, was taken by storm the last war, the confiscation of private property, or a commutation providing it (which is nearly the same thing), was not attempted, and the private exertions of individuals exercising public power were redressed in all cases which were proved; that the brave and successful exertions of the British officers and soldiers entitle them to the grateful praises of your Memorialists and of the Public in general; but that their pecuniary compensation should not originate in an act injurious to the rights of individuals, and of dangerous example for your Memorialists, whose property will be exposed to similar invasion if the fortune of war should subject any of our islands to the power of the enemy.

That your Memorialists will not presume to enlarge farther upon the injurious tendency of such a rigorous and unexampled exertion of the right of conquest against private property; but they cannot forbear to suggest, that if Great Britain means to derive advantage from the conquest of the French islands, it must be the highest impolicy to deprive the proprietors of those islands of the very limited means for cultivating their lands, which their internal distractions have left them.

That whether in any and what degree the honour of the British nation may be affected by this alarming change in the mode of carrying on war, the confiscation of the property of the inhabitants of the conquered places is a question of too much delicacy for your Memorialists to enter on; but that they are impelled by their own interest to make this representation against an act, which, if adopted as a precedent, must eventually prove ruinous to your Memorialists themselves.

Your Memorialists therefore pray your Grace, to represent to his Majesty the necessity of immediately sending such additional military and naval force to the West India islands as may secure them from the danger with which they are menaced; and of giving such orders, respecting the contributions imposed, and other exactions on the inhabitants of the conquered islands, as may conciliate their minds, and prevent the conduct of their conquerors being hereafter, in case of a reverse of fortune, quoted as a precedent to authorise the ruin and destruction of his Majesty's faithful subjects, who by the fortune of war may happen to fall under the power of an enemy which they may be unable to resist with success.

No. 4.

London, 6th February 1795.

Memorial of the West India Planters and Merchants, to his Grace the Duke of Portland, respecting the Proceedings of Sir Charles Grey and Sir John Jervis, Military and Naval Commanders in the captured French West India Islands.

To his Grace the Duke of Portland, one of his Majesty's Principal Secretaries of State.

The Memorial of the West India Planters and Merchants;

Humbly sheweth,

That on the 28th of August last they had the honour to present to your Grace a Memorial, in which they stated their lively apprehensions of eventual injury and ruin to the British interest in the West Indies, from the violent and unprecedented assertion and exercise of power, said to have taken place by orders of the commanders of the army and navy, against the private property in the captured French West India islands; to which Memorial they beg leave to refer.

That, with deep and unfeigned concern, they now repeat their representations to your Grace upon this very important subject; and in support thereof entreat your Grace's attention to the official proclamations issued in the names and by the orders of Sir Charles Grey and Sir John Jervis, the military commanders in the West Indies: That it is not necessary for your Memorialists to advert to every minute part of those several proclamations; it being sufficient for their present purpose to submit to your Grace the marked inconsistency between the proclamation of the 1st January 1794, preceding the capture of the island of Martinique, and those of the 10th and 21st May subsequently issued.

That by the former "full and immediate enjoyment of all lawful property, according to their ancient laws and customs, and on the most advantageous terms," is solemnly pledged and insured to them, in the name of his Majesty; whilst by the latter, this pledge of protection is violated, without a single act assigned, by which the right to such protection has been forfeited, and a sum adequate to the value of the conquest, to compensate the soldiery, is demanded, under the penalty of a general confiscation, to be enforced with military rigour.

That neither is it necessary for your Memorialists to enter into a detail of particular acts of violence committed, since they understand that a Committee of Merchants, acting on behalf of some of the individuals aggrieved, has already made application to your Grace, and has stated that proof is ready to be produced of such facts as are alleged in the Memorial which has been lately presented to your Grace by that Committee.

That your Memorialists are unwilling to make the obvious comments upon proceedings so repugnant in their opinions to established

usage,

usage, to national character, directly committed by the terms of the proclamation of the 1st of January 1794, to the general interest of the British empire, and to the peculiar policy of the present war; but that they cannot forbear most earnestly to solicit your Grace's attention to the dangerous predicament in which the properties of your Memorialists are placed by this extreme act of military rigour, against the private rights of the French colonists, since, should the fortune of war be reversed in that quarter, and any of the British islands be captured by the enemy (an event to be apprehended from the reduced state of the British forces in those islands, and from the untoward accidents which have retarded the departure of the reinforcements provided), retaliation, however temperate in its principle and extent, will be little short of total ruin to the fortunes of your Memorialists, and to a very considerable portion of his Majesty's subjects.

Your Memorialists therefore humbly pray that your Grace will be pleased to represent to his Majesty the probable dangerous consequences (particularly when applied to the West India islands) of those principles and acts which have been assumed, declared, and practised under the authority of Sir Charles Grey and Sir John Jervis, the military and naval commanders in the West Indies; and that an inquiry into the public conduct of those commanders may be made, in order to ascertain how far the national character, and the public justice of the country, have been duly and properly supported by them, in such high and responsible stations; and that your Memorialists may be at all events relieved from their present anxieties and just apprehensions of eventual injury and ruin by a public declaration, disavowing the principles so assumed, declared, and acted upon; which they humbly conceive will be found to be contrary to the honour, justice, and policy of the British government.

(Signed)

W. YOUNG,

Chairman of the Meeting.

No. 5.

Memorial of the Agents, on behalf of the Inhabitants and Proprietors of the Island of Martinique.

To his Grace the Duke of Portland, his Majesty's Secretary of State for the Home Department.

The Memorial of the Agents in behalf of the principal Inhabitants and Proprietors of the Island of Martinique;

Humbly sheweth,

That your Memorialists are instructed by many respectable inhabitants and proprietors of the island of Martinique, loyal subjects of his Britannic Majesty, to represent to his Majesty's ministers the injustice and oppression exercised towards the said inhabitants and proprietors by General Sir Charles Grey, and Vice-admiral Sir John Jervis, the com-

commanders in chief of his Majesty's forces, employed in the conquest of the above-mentioned island.

That the persons represented by your Memorialists were not the adherents of the pretended National Convention, nor did they oppose the declaration given on board the *Boyne*, the 1st of January 1794; but on the contrary, your Memorialists are instructed to state, as facts, which either from their notoriety need no further proof, or which can be substantiated by indubitable evidence, That when the mayor of the town of St. Pierre, in the island of Martinique, received the first summons from his Majesty's commanders, the town and forts were so absolutely at the disposal of the negroes and people of colour, that the white inhabitants could not manifest their desire of surrendering; but that immediately on the retreat of the people of colour and negroes from the town, they did, in a quiet and peaceable manner, submit to the authority of the King, and put themselves under his Majesty's protection.

That your Memorialists are further instructed to state, that the said inhabitants and proprietors whom they now represent, relied with the most implicit confidence on the security held forth in the above-mentioned declaration of his Majesty's commanders, whereby a full and immediate enjoyment of all their lawful property was solemnly promised, granted, and insured to them.

That your Memorialists are further instructed to state, that in defiance of the above-mentioned declaration, in violation of the British faith, thus solemnly pledged, and contrary to all the rules of war, as carried on by civilized nations, all the produce and provisions in the town of St. Pierre, as well as in some other parts of the island, were shortly after seized by order of the commanders, and without any Court of Admiralty being first held, without any previous adjudication or form of trial whatsoever, sold for the benefit of the captors.

That your Memorialists earnestly intreat the attention of his Majesty's ministers to the terms of the declaration issued the 1st of January 1794; and humbly submit, that the solemn promise held forth in that declaration was directly addressed to individuals, not to the armed force by which the island was held in oppression; and that if the voluntary and early submission made by the white inhabitants of this island is not to be considered as giving them a title to the benefits of that solemn promise, unless a formal capitulation had preceded their submission, this declaration of the commanders in chief must have become a cruel mockery, in case the adherents of the pretended Convention had precluded the possibility of capitulation; and has, in fact, proved an unwarrantable delusion to the loyal and unsuspecting inhabitants, whose eager submission overlooked what they had reason to consider as a needless precaution.

That your Memorialists are concerned to state, that the seizure and confiscation of the property found at St. Pierre and elsewhere, took place under the pretended sanction and authority of the British government: But confiding in the well-known justice and lenity of that government, and anxious for the honour and interest of the nation, that the inhabitants of the island of Martinique, and of the
other

other conquered islands, should continue attached by all the ties of duty and affection to that Legislature, which they have ever regarded with respect and admiration :

Your Memorialists humbly pray, that the case of the respective inhabitants of Martinique, for whom your Memorialists are agents, and whose claims of confiscated property shall be substantiated to your Grace, may be taken into consideration by his Majesty's ministers as soon as convenient ; and that such redress may be granted to each of them, as shall upon full information appear consistent with the justice and liberality of a British government.

GEO. WOODFORD THELLUSON,
Chairman.

No. 6.

Memorial.—Merchants of Liverpool.

(No date.)

To his Grace the Duke of Portland, one of his Majesty's Principal Secretaries of State, &c. &c. &c.

The Memorial of the Merchants of Liverpool, whose Names are hereunto subscribed ;

Humbly sheweth,

That your Memorialists have very considerable property and debts due to them in the several islands in the West Indies, lately subject to the crown of France ; and which, in the course of the present hostilities, have fallen under the dominion of Great Britain.

That the said property and debts originated and were due to them prior to the commencement of the war, in consequence of commercial transactions and dealings with those islands ; authorised and sanctioned by the Free Port Acts, and particularly by the Commercial Treaty with France in 1787.

That the late indiscriminate seizure and general confiscation of West India produce found in the islands of Martinique and Guadeloupe, with their several dependencies, also the heavy contribution levied upon the unfortunate planters and merchants of St. Lucia, who willingly submitted to the first summons from the commanders of his Majesty's land and sea forces, is matter of most serious concern to your Memorialists, and will grievously affect their property.

That your Memorialists, conceiving that the horrors of war, at all times dreadful, are by such severities rendered doubly distressing and destructive ; and, in fact, they apprehend, if it were humane and political in his Majesty's ministers to prohibit the continuance of such violent proceedings, and the levying of farther illegal contributions in the conquered islands, as it most undoubtedly was, it is not the less necessary, your Memorialists humbly conceive, to order a restitution of the inglorious booty acquired by our commanders, and now in the hands of their agents in the West Indies and in Europe ; because it will still farther tend to confirm the confidence of
newly

newly acquired subjects in the wisdom, equity, and moderation of his Majesty's councils and government, and in the good faith of the British nation.

But were all these considerations laid aside, your Memorialists beg leave to recall to your Grace's recollection the declaration issued on the 1st of January 1794, before any hostile attempt was made on any of these islands; by which, with all the solemnities of the most imposing formalities, Sir Charles Grey and Sir John Jervis guaranteed to such of the inhabitants of the different islands as should peaceably submit themselves to the authority and protection of his Majesty, not only the most uninterrupted personal security, but the most ample and immediate enjoyment of their legitimate rights and properties.

Your Memorialists, therefore, upon any known principles of reason and justice, cannot conceive that the inhabitants of the conquered islands have merited such an imposition, which in its consequences equally and indiscriminately involve in one general confiscation British and French property—the friendly with the hostile, and the peaceable and well-disposed subject with the turbulent and seditious.

Therefore, relying on the justice and humanity of his Majesty's ministers, your Memorialists flatter themselves, on a consideration of the premises, they will be induced to give the necessary orders for a restoration of the payments made on account of their illegal contribution, *and a public disavowal of the principle upon which such impolitic proceedings are founded.*

JOHN SHAW, Mayor.

James Bold,	John Wilson,	Moses Benson,
Geo. Dunbar,	Thomas Barton,	A. Stewart,
Will. Rigges,	Walter Stott,	Edward Newsham,
Will. Dobson,	John Stanton,	Will. Dickson,
Will. Ewart,	John Hewley,	James Astley,
J. P. Richard,	Will. Syer,	Will. Harding,
John Houghton,	James Ashcroft,	Joseph Deare,
Joseph Ward,	George Mercer,	John Watton,
Tho. Twemlour,	John Thornhill,	John Fergusson,
J. Bolton,	Richard Houghton,	B. Chifney,
Ash Byrom,	James Quick,	Peter Leicester,
Will. Leigh,	James Percival,	Robert Willock,
Benj. Thomas,	Thomas Gleaves,	John Drinkwater,
John Lighbody,	Thomas Frankland,	Michael Humble,
John Thomas,	H. Moore,	Tarleton's and Back-
John Conway,	V. Pearce Ashfield,	house,
Henry Brown,	Daniel Backhouse,	John Backhouse,
Edgar Parrie,	Will. Harper,	John Tarleton,
R. Downward,	Will. Neilson,	John Hornby,
Robert Jackson,	Joseph Birch,	John Sibbald,
Henry Bowles,	Edward Atherton,	Will. Jones Calcott,
Tho. Dickinso,	Elijah Cobham,	Will. Miller,
Edward Rogers,	Thomas Harrison,	Will. Blake Tharp,

Will.

Will. Harding, jun.	James Michell,	John Knox,
Andrew Dodson,	Tho. Welsh,	Richard T. Tatham,
Joseph Leay,	John D'Aguilar,	John Thompson,
Thomas Rodie,	John Palmer,	Henry Newsham,
Ellis L. Hodgson,	Alexander Carson,	Tho. Newsham,
Will. Begg,	George Bowdon,	J. W. Jones,
Thomas Cartwright,	Will. Sircar,	J. Gardner.

No. 7.

Copy of a Letter from the Duke of Portland, to the Gentlemen of the Committee of West India Planters and Merchants; dated Whitehall, 30th April 1795.

GENTLEMEN,

Whitehall, 30th April 1795.

In answer to the Memorials which have been transmitted to me from the West India Planters and Merchants, on the subject of certain proclamations issued during the command of Sir Charles Grey and Sir John Jervis in the West Indies, I beg leave to inform you, that his Majesty's ministers, the moment they were informed of the nature of those proclamations, sent directions respecting them, in consequence of which, no further proceedings were had upon them; and information has since been received, that those directions were so clearly understood, that the money which had been paid as contribution has already been returned; so that the proclamations in question cannot but be considered to be, as in fact they are, annulled.

I am, &c.

(Signed)

PORTLAND.

To the Gentlemen of the
Committee of West India
Planters and Merchants.

No. 8.

Copy of a Letter from the Duke of Portland, to the Merchants of Liverpool, subscribing the Memorial to his Grace, presented by John Tarleton, Esq.; dated Whitehall, 2d May 1795.

GENTLEMEN,

Whitehall, 2d May 1795.

In answer to your Memorial presented to me by Mr. Tarleton, relative to the proceedings of Sir Charles Grey and Sir John Jervis, under certain proclamations issued during their command in the West Indies, I beg leave to inform you, that his Majesty's ministers, the moment they were informed of the nature of those proclamations, sent directions respecting them, in consequence of which no further proceedings were had upon them; and information has since been received, that those directions were so clearly understood, that the money which had been paid as contribution has already been returned; so that the proclamations in question cannot but be considered to be, as in fact they are, annulled.

I am, &c.

(Signed)

PORTLAND.

To the Merchants of Liverpool, sub-
scribing the Memorial to his Grace,
presented by John Tarleton, Esq.

VOL. III.

3 Z

No.

No. 9.

Copy of a Letter from General Sir Charles Grey and Sir John Jervis to the Duke of Portland, dated 7th March 1795.—With Copies of Inclosures therein.

MY LORD,

We take the liberty of troubling your Grace on the subject of the Memorials, which have been presented to your Grace by the West India planters and merchants, and others, respecting our proceedings and conduct, as commanders in chief, upon and subsequent to the conquest of the French West India islands.—Some of those Memorials were presented during our commands in the West Indies; and, if we are correctly informed, they were preceded by personal communications, made to his Majesty's ministers, upon the authority of private letters from merchants and traders in the West Indies. How far these representations and memorials have been acted upon by his Majesty's ministers, we are uninformed; but from the nature of the allegations contained in them, and the objects which the Memorialists profess to have in view, we assure ourselves that they cannot be countenanced; if they are, it places us in this singular dilemma, that in the discharge of our public duty, as commanders in chief in the West Indies, we could not avoid either disobeying the instructions and frustrating the views of his Majesty, or exposing ourselves to censure, by disappointing the wishes and expectations of merchants and traders connected with the West Indies.

The West India merchants appear to be apprehensive only of the consequences which may result to them from any precedent established by our conduct, upon which the French government may act towards them, in case of a reverse of fortune:—"Should the fortune of war (they say) be reversed in that quarter, and any of the British islands be captured by the enemy (an event to be apprehended from the reduced state of the British forces in those islands, and from the untoward accidents which have prevented the departure of the reinforcements provided), retaliation, however temperate in its principle and extent, will be little short of total ruin to the fortune of your Memorialists, and to a very considerable portion of his Majesty's subjects."

The ground upon which this complaint is founded, we take to be totally distinct from that which has been more generally and most loudly urged (which we shall observe upon afterwards), viz. That the property of emigrants, or those who were friendly to the British government, and contributed their assistance, as far as they were enabled, or allowed to do, to the conquest of the French islands, was subjected to indiscriminate confiscation. The fear of retaliation must arise, not from our treatment of the enemies, but of the friends of the French government. The apprehension stated is, that in case of a reverse of fortune, that government may treat our subjects as we have treated theirs. To this we can give no other answer, than that the peculiar nature of the war, and the orders transmitted to us by his Majesty's ministers, left us no discretion as to the treatment

either

either of that government or its supporters. Upon a reference to our secret instructions, your Grace will perceive that government to be qualified as an usurpation, having no legal authority, and its supporters as rebels and traitors. We are directed by an order of council to prevent foreigners resorting to the islands without licence; and that order, by a letter from one of his Majesty's confidential servants, is explained as "clearly marking the intention of the British government, to keep out of the conquered islands all persons whose principles were in the least degree to be suspected;" and he adds, "I hope you have driven out of them all persons of this description." We certainly acted in conformity to the policy here laid down in many instances:—The subjects of the French government, or the pretended National Convention, as it is termed in the proclamation, were in many instances sent away, and their estates sequestered; this became necessary for the security of those islands, which in all our letters and instructions we considered ourselves directed to secure, as a permanent acquisition to the Crown of Great Britain. It became the more necessary, as our force became weaker; but for the precedent established by these proceedings, we are not responsible, and to the sequestered estates receivers were immediately appointed for the benefit of Government; they still continue, we believe, to receive for Government the profits of those estates, from which the captors have in no one instance derived any advantage or emolument of any kind to themselves.

Having made these observations on the principles avowed by the Memorialists, we must beg leave to call your Grace's attention to a statement of our proceedings in the conquered islands.

For a detail of our proceedings in the conquest of the islands, we must beg leave to refer your Grace to our public and private dispatches: His Majesty's forces were resisted in all of them so long as resistance was practicable.—No town or district, nor any body or description of the inhabitants, ever signified an intention to accept or accede to the terms of the proclamation of the 1st of January 1794. On the contrary, in many places, the inhabitants manned batteries to oppose the attack of his Majesty's troops, and in every other respect contributed to resist them; they even fired upon our flags of truce. Upon the conquest of islands, under such circumstances, we conceived it to be our duty to secure such property as appeared to us unquestionable booty. We apprehend it was our duty to do so, upon two grounds, *viz.* 1st, To protect the rights of his Majesty. 2dly, To secure to the officers, and seamen, and soldiers, such booty as his Majesty had or might think fit to grant them as a reward for their services. The booty taken on shore we conceived to be given to the navy and army by his Majesty's separate instructions to Sir Charles Grey, and by Mr. Secretary Dundas's confirmation of our plan of division of booty, in his letter to Sir Charles of the 7th of March 1794. This idea was communicated to the army in public orders, with a view to encourage the troops, and promote good discipline by removing all inducement for plunder.

Having submitted to your Grace our ideas respecting booty, we request your Grace's attention to the nature and extent of the seizure actually made. The principal estates in the island were in the possession of republican agents, as confiscated property, and the produce had been sent to the towns of St. Pierre and Fort Royal (which were both taken by assault), in order to be shipped to France, or otherwise disposed of, on account of the republic. The planters resident on the island had likewise sent produce to St. Pierre to be shipped or sold. The former description of property we considered as belonging to the French government, and as such to be lawful prize. The latter we considered as subject to confiscation, in consequence of the proprietors having either resisted his Majesty's forces, or declined accepting the terms offered by the proclamation of the 1st of January. The towns being taken by storm or assault, the property in them, according to the common practice of war, was exposed to plunder; but the troops were restrained from any act of that kind, by the assurances given them, that they would be much more benefited by a fair and equal distribution of booty, than by indiscriminate pillage. Under the circumstances in which the towns were taken, it was the opinion of the navy and army, that all the property found in them was to be considered as prize or booty. We declined sanctioning seizures to this extent; but being of opinion that the produce of the island found at St. Pierre was unquestionable prize, as belonging either to the republican government or to individuals who had resisted the British forces, or rejected the terms offered by the proclamation of the 1st of January, we directed the seizure of it. No other private property, of any description, was molested. Although the town of St. Pierre was taken by assault, yet the shops in it were publicly open the next day, and the inhabitants employed in disposing of their property and transacting their business as usual. The provisions and necessaries supplied to the navy and army were regularly paid for, and every species of general merchandize (provisions included) was left in the uncontrolled disposition of the inhabitants. The property seized on shore consisted only of the following articles, the produce of the island, *viz.* sugar, cocoa, coffee, cotton, and cassia.

At the time of the seizure no man intimated the smallest doubt either of the legality or propriety of our conduct; on the contrary, it was the general opinion that, in point of strictness, all the moveable property in the island was liable to seizure: In this opinion we have since been confirmed by better advice than any we could then obtain. Your Grace will not suppose us to have deliberately weighed in legal balances every measure we took in executing the arduous services committed to our care: If that had been expected from us, we ought to have been furnished with learned civilians as advisers or assessors. Unassisted as we were with any legal advice, we are extremely happy to find that, instead of exceeding, we have fallen very far short of exercising, to their legal extent, the rights of the Crown, in seizing the booty which fell to the disposal of his Majesty.

If

If your Grace will have the goodness to refer to the representations first made by the merchants to his Majesty's ministers upon this subject, you will find that the complaints against us were originally suggested by British adventurers, who went to Martinique for the purpose of purchasing prize property, and who found themselves extremely disappointed upon discovering that the captors had taken such measures as were most likely to obtain a fair price for it. Many of these adventurers had been long in the habit of carrying on commerce with the French islands (whether illicit or legal is not for us to determine), and were deeply connected with merchants and planters in Martinique, who by their resistance to the British forces, or by disregarding the proclamation of the 1st of January, had subjected their property to confiscation. By way of reminding your Grace of the source of these complaints, and of the regard paid by the persons making them to truth and candour, we beg leave to submit to your Grace's perusal the following extract from one of the first representations sent to this country upon the subject, and which we are informed, was laid before his Majesty's ministers on an authority not to be questioned.

Extract of a Letter to Messrs. George Baillie and Co. from their Correspondent at St. Vincent's; dated 14th April 1794.

"Our Mr. ——— only returned last night from Martinique, where he went to see what could be done in the way of speculation. He found a wonderful collection of people from all the islands, but every one equally disappointed. All the produce on board the vessels and in the stores, even to the length of powder and pomatum shops, are confiscated.

"The sale began with sugar on the 10th day. Fine clay'd sold from 60 to 67 per cwt. and being captured goods, goes home subject to the foreign duty.—The produce has been all appraised by gentlemen from the different islands; and it's the directions from the Admiral and General, that the agents do not let a cask of it be sold under that appraisement, so the full value will be obtained, otherwise it is bought in for the capturers, and it is thought the greatest part will fall into their own hands; they so much expect for themselves, that the ships will be the last of the sales, in order that they may buy in what is wanting to carry home their produce. After this is all over, the sum of 250,000l. sterling is to be demanded from the towns in Martinique; and all the produce on estates made previous to the day of surrender is to be made prize of. Such extraordinary plunder (for we cannot give it a better name) was never known before on the like or any other occasion in civilized countries.—At St. Lucia they are to levy immediately the sum of 300,000l. sterling; in lieu of every thing else, and no produce of any kind to be shipped off the island by the inhabitants until this money is raised; so that, independent of half the ruin of the people in both places, no payments can this year be expected by the merchants in the English islands, who have very large sums due to them for negroes, &c. sold before the war."

No man who reads this letter can be at a loss to discover the motive in which it originated. After all the reprobation it contains of the conduct of the captors, and the wonderful degree of philanthropy displayed for the unfortunate sufferers, it shews a pretty strong disappointment at the writer's not being able to derive advantage from the plunder he execrates, by purchasing it at an inferior price. In short, if the captors had permitted the adventurers who wished to speculate in the captured property to have purchased it at half its value, the confiscation would have been approved by them, and the complaints now urged against us would never have been heard of. It never occurred to the inhabitants of the islands that *any thing more had been done by the captors than what was usual* in similar cases, or that complaints to his Majesty's ministers would be likely to benefit them, until these notions were instilled into their minds with a view to gratify the resentment and promote the interested views of disappointed British adventurers. But, independent of the very laudable motives in which the representation just stated originated, the essential parts of it are in point of fact totally false. Instead of all the produce in the stores at St. Pierre, even to the "length of powder and pomatum shops," being confiscated, not a single ounce of property of any description, except the produce of the island found in the town, was molested. We were so rigid in enforcing a strict discipline in the army, that two men who had acted in breach of orders, in plundering or attempting to plunder some of the inhabitants of St. Pierre, were tried by a court martial, convicted, and executed. What is said as to all the produce of the estates made previous to the capture of the island being taken as prize, is equally unfounded in fact, as not a single hoghead of produce was taken from any of the plantations. As to the allegations respecting the contributions intended to be levied on the islands of Martinique and St. Lucia, we shall presently take the liberty of requesting your Grace's attention to a correct statement of the facts. From the instance we have given of the regard paid to truth in the representations made from the West Indies, your Grace will not be surprised at those statements being followed up by memorials from the merchants and agents here, equally unfounded in fact, and destitute of candour.

The transactions which we have hitherto detailed or referred to, relate principally to Martinique, that being the only island from whence the captors have derived any advantage from the captured property. After the conquest of that island St. Lucia was the next object of attack, and was regularly summoned to surrender. The summons was rejected. The British troops landed in different places on the 1st of April 1794, and all the different forts and batteries were completely taken possession of on the 4th. But although there was no force on the island to make an effectual resistance against that sent to attack it, and the inhabitants had known for near three months that it would be attacked, yet every resistance was made that the force of the island was capable of, and no town, fortress, or any description of the inhabitants, either capitulated, surrendered, or

proposed to surrender upon the terms offered in the proclamation of the 1st of January. The island being conquered by force, the navy and army did not consider the inhabitants as entitled to the terms offered by the proclamation, but on the contrary, as liable to be treated as enemies, and subjected to all the consequences of conquest. Under this impression the navy and army conceived they had a right to treat all the produce of the island that had been manufactured and sent to the town of Castries (the shipping port), and also that upon the plantations in the possession of the agents of the republic, as liable to confiscation, which at the time of the capture extended to a considerable part of the crop of the year. Some merchants, who had been appointed by the commanders in chief to act as prize agents, suggested to the principal planters and merchants, that it would be a beneficial measure for them to offer the navy and army a sum of money to waive their claims to a confiscation of the produce; and that it would easily be raised by way of assessment or contribution on the different towns and estates in the island, in proportion to their property or value, and paid by instalments at different periods. Two commercial houses in Grenada, that were very much connected in St. Lucia, took an active part in promoting this arrangement.

The first sum mentioned as an equivalent for the captors waiving their claims to all confiscation whatever was 300,000*l.*, which fell infinitely short of the value of the colonial produce then upon the island. This sum was, however, by negotiation and explanation, reduced to a moiety, and an agreement was entered into by the principal inhabitants for the payment of 150,000*l.* by instalments, (*viz.*) 50,000*l.* in 1794, the like sum in 1795, and the remainder in 1796. The houses of Baillie and Co. and Munro and Co. of Grenada, proposed to come forward as sureties for the island, and to give bills on London, dated 1st August 1794, payable at six months sight, for the amount of the first 50,000*l.* This proposal, which held out to the captors the certainty of a large sum of money, without the trouble attending the seizure, condemnation, and sale of enemies property, was accepted under the idea that they would experience no further trouble or difficulty about it. The Gentlemen, who had proposed to give bills for the money, suggested from time to time such orders or proclamations as they thought would be most likely to carry into effect the arrangement agreed upon; but instead of the captors deriving any advantage whatever from this plan of a contribution, not a single shilling ever did or will come into their hands from it. Instead of gaining any thing, the captors were completely defrauded of every ounce of property taken on the island, except the arms and military stores, that were applied to the service of the Public. So far from having pillaged or plundered the inhabitants of St. Lucia (with which they are charged), the captors have not to the present hour received, nor have they any probability of receiving, a single farthing arising from prize or booty taken on shore, except the value of the military stores. We believe a sum of 10,000*l.* or 12,000*l.* was collected in the island in part of the proposed contribution,

bution, and towards payment of the first instalment thereof; but not one shilling of it was ever received by the captors; and upon its being intimated to us, that the receipt of any sum of money under the denomination of contribution would not meet with his Majesty's approbation, we directed whatever had been collected to be returned, *which was accordingly done in November 1794*. Supposing our conduct, in originally acceding to the idea of a contribution, to have been ever so unwarranted by the practice of war and the law of nations (which we apprehend is not the case), yet we have been very unfairly dealt with by the inhabitants of St. Lucia and their instigators. For, not content with securing the property which was clearly liable to seizure and confiscation, and afterwards getting relieved from the contribution which was proposed as the consideration for restitution, they have loaded us with every species of odium and reproach, which the most rigid exaction of the contribution, or the most general confiscations, could have excused. In all the representations made from the West Indies, and followed up by Memorials to his Majesty's ministers, the intention has been substituted for the act, and urged against us as such, even long after it was notorious that the idea was totally abandoned. In doing this the Memorialists anxiously suppressed the immense property liable to confiscation, which was given up by the captors, who certainly have the greatest reason to complain. The value of the property found on shore, which was fairly to be considered as prize or booty, was very large. The captors have been defrauded of the whole of it, by an insidious offer of a contribution; their acceptance of which is afterwards turned against them, as an exaction of the most tyrannical kind. In acceding to the idea of a contribution, they lost sight of their real interests. They did not foresee the fraud artfully meditated to be practised upon them; they did not foresee that, letting the property escape without any present or actual consideration for it, they gave time for partial and *ex parte* representations against them, and gave those into whose snare they had fallen an opportunity of procuring a revocation of the whole proceedings: By permitting the removal of the prize property, the captors furnished the inducement, at the time they removed all ground for the clamour that has been raised against them.

The preparatory arrangements gave time to ship away the produce that was the subject of confiscation, and the period stipulated for the first payment gave an opportunity for a communication with the mother country, so as to try whether, by calumny and clamour, supported by falsehood and misrepresentation, a disapprobation of the measure on the part of Government could be obtained. The plan so completely succeeded, that the only result experienced by the captors from the projected contribution is a heavy expence, charged by some of the agents who first planned and then defeated it, for commission and charges, and every species of opprobrium and obloquy that interested malice or resentment could suggest.

The idea of contribution first originated at St. Lucia in the manner above stated. It was afterwards suggested, that the planters

in

in Martinique ought to pay a certain sum in consideration of the produce upon estates possessed by republican agents, or by persons who had taken an active part in resisting the British forces, or who rejected the terms offered by the proclamation of the 1st January, not having been seized or confiscated. This suggestion originated from the same quarter, and in views of the same nature, that produced the plan of a contribution at St. Lucia. Various preparatory orders were issued, but the Memorials presented to your Grace seem principally to confine their animadversions to those of the 10th and 21st of May; upon which we beg leave to say a few words by way of explanation.

The island of Martinique having been conquered by force, without any capitulation or compact having been entered into with its inhabitants, we apprehend the whole property of the island became liable to seizure, and at the disposal of his Majesty. As commanders, in chief, we have already said, that we conceived it to be our duty to protect his Majesty's rights; but in doing so, we did not enforce them to any thing like their full extent. The property that was in fact seized, was confined to the produce of the island found in the towns carried by assault. It was afterwards suggested to us, that if we gave up the remainder of the property liable to confiscation, we should deprive his Majesty of an opportunity of rewarding the navy and army to that extent which his rights afforded the opportunity of doing. Anxious to do justice to the fleet and army, and at the same time desirous of alleviating the situation of inhabitants, who by their conduct had incurred a forfeiture of their property, we listened to the proposal of a composition to be raised by way of contribution. In doing this, we perhaps overstepped the strict legal line of conduct we ought to have pursued, as the composition ought to have been confined to and received from the proprietors of the property liable to confiscation. But it ought to be remembered, that it was our wish to alleviate and not to aggravate the situation in which the inhabitants had placed themselves, by rejecting the terms offered by the proclamation of the 1st January; and by acceding to their proposal of a contribution, we were told we should do that. By the terms "general confiscation," we must be understood to mean a confiscation of the property of the inhabitants who had not entitled themselves to the protection offered by the proclamation of the 1st January. In short, none of them acceded to or accepted the terms offered by it; and we believe your Grace will find the legal consequences resulting from that conduct placed their whole property in the discretion of his Majesty. That being the case, we were called upon, as his Majesty's representatives, to secure it, so far as we should deem it consistent with his Royal intention. The claim, therefore, to a general confiscation will not be found unwarranted, according to the rights of war. So far therefore from complaining against us for having stated such a right, we think the inhabitants ought to consider themselves as favourably treated in its not having been enforced.

The proclamation of the 21st of May was founded upon the same idea as that of the 10th. But there is one expression in it, which seems either to have been misunderstood or strangely perverted by the Merchants, &c. who have made complaints against us. We mean the part where it is proposed "to raise a sum of money adequate to the value of the conquest." We trust we are not to have our conduct decided on by a rigid criticism upon the language of our public orders: That the acts done by us, and not the phraseology of a paper we may have signed, will be attended to. But if we are to descend from the stations of General and Admiral to answer verbal criticisms, we need only suggest a small variation in the language of the paper we are speaking of, to render it perfectly consistent with the idea above suggested, *viz.* that of accepting a composition for the restitution of property liable to confiscation. If, instead of the words, "adequate to the value of the conquest," your Grace will be pleased to substitute the words "adequate to the value of the property liable to confiscation," nothing will be found in that paper inconsistent with our ideas of the rights of the Crown, and the plan of accepting a composition upon declining to enforce them. It can never be supposed that by the words "adequate to the value of the conquest," we meant the value of the island, and all the property in it. Even the gentlemen who complain against us do not impute to us so extravagant an idea. "The value of the conquest" must be understood as referable to the property, which the conquest of the island had made the subject of booty, and which the captors conceived had been conferred upon them by his Majesty's separate instructions to Sir Charles Grey. But whether the contribution which these proclamations proposed to levy was just or unjust, either in principle or extent, we did not expect that it would now be made a subject of inquiry, as not a single farthing was collected. The project was in fact abandoned long before it was known that his Majesty disapproved of contributions; no loss or injury of any kind was in point of fact sustained by the inhabitants; nor have they themselves expressed any discontent or dissatisfaction, though advantage has been taken of these proceedings to load us with every sort of malevolent misrepresentation and abuse.

We shall now request your Grace's attention to the Memorial signed by Mr. Thellusson. By way of impressing your Grace with a just idea of the candour of the Memorialists, the first paragraph charges us with having exercised injustice and oppression towards the inhabitants, without giving the name of any one person that has been injured, or instancing a single fact or transaction to warrant so strong an imputation. It is not usual for men in high responsible situations to be charged, in general terms, with the exercise of injustice and oppression, without a foundation being laid for such a charge by a statement of facts, from whence it can be fairly deduced. Here the charge is boldly made at the outset, and when the subsequent detail of facts (if any thing stated in this paper deserves that appellation) comes to be examined, it will be found composed of either positive falsehoods or wilful misrepresentations. It is not a little singular, that

that the name of no one inhabitant of Martinique should be brought forward as having authorised this complaint. As to the supposed sufferers, whether they were planters, merchants, or traders, whether they were Frenchmen, Creoles, or persons of colour, what is the nature or extent of their losses, and how sustained or occasioned, the Memorial is totally silent. Mr. Thellusson states, that the persons he represents were not adherents to the National Convention, nor did they oppose the proclamation of the 1st January. Whether that fact is true or false, depends merely upon his assertion, which in the terms in which it is made cannot receive an answer. If their names and residence had been mentioned, we should have had an opportunity of answering this allegation, by shewing what part the persons named took in the contest, and how far they suffered from the seizure that took place. The silence observed upon this subject pretty clearly shews, that the principals wish to shrink from personal inquiry and minute investigation, and prefer the mode of circulating their calumny in the name of an agent, who does not hold himself responsible for what he states. The allegation with respect to the state of St. Pierre, when first summoned, and the quiet and peaceable submission of the white inhabitants, is positively and absolutely false. To prove it to be so, it is only necessary for your Grace to refer to the answer given by the mayor of St. Pierre to our summons, and the detail of the conquest of the island contained in our public dispatches. Your Grace will find that the town of St. Pierre was the last place taken, except Fort Bourbon and Fort Royal. The Aid-de-camp, who carried the summons to St. Pierre on the 6th of February, instead of being received and listened to, was insulted, and not permitted to enter the town, and the mayor gave the watchword for resistance and defiance. So far were the inhabitants from being well affected to the British government, that they manned some of the batteries near the town, and several armed vessels were under the necessity of firing upon the town, to deter them from giving further support to the adjacent forts, at the time they were attacked by the British forces. Their supposed quiet and peaceable submission extended no further than to their not engaging the British troops when they entered the town sword in hand, after having taken the surrounding forts by assault, and when farther resistance would have been fruitless. To the allegation that states the inhabitants represented by Mr. Thellusson to have relied with implicit confidence on the security held forth by the proclamation of the 1st of January—loose and general as it is—we feel no difficulty in giving a positive contradiction, as no description of persons in the island ever intimated, at the time, the most distant idea that they considered, or were in condition to consider themselves entitled to the benefit of the proclamation. It was public and notorious to every man in the island, both British and French, that every foot of it was conquered by force; but relying upon these facts not being so generally known in this country, and encouraged by their connexions in the British islands, and those which they have recently formed in Great Britain, it is not improbable that some of the inhabitants

may have been since induced to authorise these false representations, in the hope of obtaining restitution of the property which their resistance to the British forces exposed to seizure and confiscation. Not content with stating the conduct of the inhabitants to have been the direct reverse of what it in fact was, the Memorialist proceeds to alledge, that all the produce and provisions in the town of St. Pierre, and in some other parts of the island, was seized and sold for the benefit of the captors. The property that was seized on shore we have accurately stated. Not an ounce of provisions was included, except the produce of the island, such as has been named, should be deemed so. In short, the whole Memorial is founded in falsehood and misrepresentation. It is neither sanctioned by names, nor supported by any document or evidence of any description; and yet, upon such spurious anonymous authority, we are grossly calumniated, "as having violated British faith solemnly pledged, and acted contrary to all the rules of war, as carried on by civilized nations."

Whether the terms offered by the proclamation of the 1st of January 1794 are to be considered as addressed to individuals only, or to the body of the people, is perfectly immaterial; for no individual from whom an ounce of property was taken ever intimated a wish to accept the benefit of it until after his place of residence was in possession of the British troops. His professions of regard for, and attachment to the British government, might perhaps then become vociferous; but what would have been said of us if we had given credit to the professions of such men? Had the same opportunity offered at Martinique that afterwards occurred at Guadeloupe, all these professions would have vanished, and the persons making them have been found amongst the supporters of the invading enemy.

The first Memorial of the West India planters and merchants appears to us to be rather a remonstrance against the conduct of his Majesty's ministers than a personal attack upon us—we therefore consider it as not calling for an answer on our parts; but the other, which refers to that we have just observed upon, and calls the attention of his Majesty's ministers to the proclamations of the 1st of January, and the 10th and 21st May, we consider as demanding our attention—It manifestly proceeds throughout upon a supposition that the facts stated in the other Memorial are true, and that the inhabitants of the conquered islands had by their submission entitled themselves to the benefits offered by the first proclamation. We are not much surprised to find false allegations and unfounded calumny stated in a Memorial that may be fairly said to deserve the character of anonymous; but we cannot avoid expressing our astonishment to observe the West India planters and merchants adopting it. Had they possessed no means of ascertaining the truth or falsehood of the matters stated in it, some apology might be made for their doing so; but the manner in which the islands were taken being matter of public history, there is no excuse for their adopting a false representation. It was only necessary for them to refer to the Gazette, to discover that

that the Memorial presented by Mr. Thellusson was positively false; but it seems the planters and merchants did not wish to be undeceived, as there would, in that case, have been no colour for their putting the interpretation upon the proclamation of the 1st January which they have done.—His Majesty's proclamation held out an encouragement to submission to his arms; not a reward for resistance to them. They do not treat this instrument as containing an alternative, but as offering unqualified terms, which the inhabitants of the conquered islands were to have the benefit of, be their conduct what it might, whether they submitted or whether they resisted. In this respect it is more uncandid than the other Memorial; and, in stating the demand made by the proclamations of the 10th and 21st May, it keeps pace with it in fairness, by suppressing the fact, that not one shilling was ever collected under them, and that all idea of contribution was abandoned many months ago. This fact was equally well known to the Memorialists as those which they have stated, and could only be suppressed with a view to give their complaint a degree of plausibility, which a fair representation would in no degree have warranted. All this industry and anxiety to pervert the meaning of public papers, and to misrepresent or suppress the facts requisite to a proper judgment of their true operation, must have proceeded from a consciousness that a fair interpretation of them, and a candid statement of all the material facts, would have shewn that there was no just ground for complaint. Taking the complaint in its strongest sense, when the fact is ascertained, it amounts to no more than that the commanders in chief, having been under the necessity of conquering the islands by force, conceived the conquest to give the captors a right to substitute a general contribution for a confiscation of property, which the conduct of the proprietors had exposed to forfeiture, but which contribution had not been paid. Had it been so put, the inquiry called for would have appeared ridiculous.

The Memorial from the Liverpool merchants seems of a very singular nature. It calls upon his Majesty's ministers to disavow principles which were never reduced to practice, and for a restoration of payments that were either never made, or long ago returned. Though it gives a false colour to what has been done in the conquered islands, it is not quite so destitute of truth and candour as the other two, upon which we have just observed, and in that respect only differs from them. We shall here dismiss the subject of these Memorials with this short observation, That if there had been any fair and just ground for complaint, which the Memorialists could have established upon investigation so as to entitle themselves to relief, the courts of justice would have long ago resounded with their clamours for redress, and his Majesty's ministers would have been the last persons applied to. Conscious that their complaints are unfounded in fact, and their claims unsupported by any colour of law, they substitute misrepresentation and calumny in their place, and endeavour privately to ruin and disgrace the characters of men, whose conduct they have not ventured publicly to attack.

With

With respect to the personal request made to your Grace by the West India merchants on the 12th instant, as stated in the minute of the conference sent us by your Grace, we cannot avoid observing, that it falls far short of what is called for by their Memorial. That paper rather insinuates than charges misconduct; but in the prayer of it your Grace is called upon to institute an inquiry into our public conduct, "in order to ascertain how far the national character and the public justice of the country have been duly and properly supported by us in such high and responsible stations." To our very great surprise, the merchants in their conversation with your Grace state, "That their object in the application was not a call for inquiry with a view to inculpation of our conduct, but a public disavowal of the measures proposed by the proclamations of the 10th and 21st of May"—So that after indirectly suggesting to your Grace, that the national character and the public justice of the country has been wounded by our conduct, nothing more is asked than a disavowal of supposed principles which were never reduced to practice, and of the terms of a proclamation which are wilfully misunderstood or perverted, for the purpose of giving a colour to the clamour raised against us. In short, the merchants, finding that the prayer of their Memorial is not warranted by any thing they have to urge against us, wish by indirect means to prevail upon your Grace to advise his Majesty to censure our conduct in the way most disgraceful and humiliating to us, *viz.* by a public disavowal and disapprobation, not of an act done by us, but of an intention that was not carried into effect, and which intention is itself grossly misrepresented. The merchants have not shewn such a disposition of forbearance towards us as to induce your Grace to believe, that if they could have proved us guilty of misconduct, they would have resorted to an attack upon an unexecuted intention, and have confined their application for redress to a disavowal of opinions entertained by us with respect to the rights and practice of war. If we have acted illegally or unjustly, the courts of justice are open to the parties who may think themselves injured; and, from the disposition shewn towards us in the Memorials presented to your Grace, it is manifest that tenderness to us is not the motive which has hitherto withheld the claimants from seeking redress in the ordinary way.

Since our return to this country, we have made all the inquiry in our power with respect to the practice in former wars, where any island or place has been carried by assault; and, instead of discovering that we have exceeded former practice with respect to the seizure of booty, we find that we have fallen very far short of it. In his Majesty's separate instructions to Sir Charles Grey, directions are given with respect to the division of any booty that might be taken on shore; and we therefore presumed, that it must have been his Majesty's intention that such property, as by the rights and practice of war became vested in the Crown, should be seized and distributed between the navy and army as booty. We have always understood it to be admitted as a general proposition, that goods taken from an enemy are the property of the conquerors; and that it is an acknow-
ledged

ledged right, by the law of nations, to seize enemies goods whenever they can be found, if the victors are not restrained from doing so under some compact or capitulation. Seizures of a similar nature to that made by us at Martinique have been made in every war for many years past; as for instance, at Vigo in 1702, at Paita in 1745, at Senegal in 1759, at the Havannah in 1763, at Omoa in 1780, and at St. Eustatius in 1781. The property taken at the last-mentioned place included all the goods and effects, of every description, found upon the island, except some inconsiderable quantities given up to a few individuals, and yet no instructions were given to the Admiral and General for making such a seizure. It was however afterwards approved by his Majesty, and a grant made of the whole property taken in favour of the captors.

In the conference between your Grace and the Merchants it seems to have been taken for granted, that the proclamations complained of by them were inconsistent with that of the 1st of January. If your Grace will refer to the latter you will find, that in the event of the terms offered by it not being acceded to, all persons acting in defiance of it were to be "treated as enemies, and exposed to all the evils which the operations of war would necessarily bring, both on their persons and possessions." In this predicament were all the inhabitants of the conquered islands, and consequently all our subsequent orders ought to be considered as issued against persons subject to all the rights and severities of war. And although your Grace seems to have been of opinion, that in exercising those rights we were unauthorised by any "power," other than the force we commanded; yet, upon a reconsideration of the subject, we are persuaded your Grace will find, that we possessed all the power vested in his Majesty as sovereign of the state, which force we commanded, and were not only warranted, but in duty bound, to exercise the rights of war in such manner as we should think most likely to meet with his Majesty's approbation, regard being had to the instructions with which he had honoured us. In the situation in which we were placed, much was left to our discretion. His Majesty pointed out to us the objects he wished to accomplish, but the means were left to us; and with respect to all inferior objects, they were left to our management, without any instructions whatever. If we have exceeded or abused the powers delegated to us, we are not only amenable to his Majesty in a court military, but to all individuals in the ordinary courts of justice. We are persuaded, that neither your Grace, nor any other of his Majesty's ministers, will think us objects of censure on the ground of mere unexecuted intentions, even if they should be found to have originated in error or mistake. We are convinced, that it never occurred to the inhabitants of the captured islands, that we had treated them with unwarranted severity, until the idea was suggested to them by British traders, who had interested views to answer. Our conduct was approved by the principal planters and the public officers of the islands, as your Grace will perceive by the testimonials which we take the liberty to subjoin. Various misrepresentations having been circulated as to the value and extent of
the

the property seized, it is proper that your Grace should be informed, that the whole which was taken, both afloat and on shore (excepting arms and stores), produced only 183,000*l.*, our proportion of which, should it not be diminished by claims or litigation, or by dishonoured bills, will be 11,437*l.* each. We trust your Grace will excuse our having entered at such great length into the discussion of the subject, as we consider our personal honour, and the reputation we have hitherto held in society, as seriously attacked.

We have the honour to be, &c.

CHARLES GREY.
J. JERVIS.

7th March 1795.

Testimonials addressed to Sir Charles Grey.

The Committee established this day at St. Pierre by me is hereby authorised to give, when required so to do by the Staff Officers of the army, and especially by Colonel Myers and Major Grey, all necessary orders to procure from the stores of the different individuals the articles that may be found therein suitable for the service, and the public chest shall be answerable for the value thereof; provided nevertheless the said articles be not liable to confiscation.

They are also to deliver all necessary orders to get from the general store the articles found therein, and required for the service.

And, finally, they are hereby authorised to direct the inhabitants, and other individuals, to find the negroes or cattle necessary for the service.

St. Pierre, Martinique,
the 18th February 1794.

Thomas Dundas.

We, the former members of the Committee appointed for Government by his Excellency General Dundas, in the town of St. Pierre, do hereby certify and assert, that this is a true copy of the power given to us by the said General to procure from the several individuals what articles were necessary for the service of the navy; and moreover, that those articles have been accordingly provided for, on our issuing written orders for the same; and that they have been delivered by the different inhabitants only by our giving them the certainty of their being paid, agreeable to the above-mentioned orders, having informed them thereof, and the original being now in our hands.

We do furthermore declare, that, except the produce seized in the harbour, and in the stores of this town, no sort of goods whatever, being French property, has been confiscated here, and that the shops in particular have never been molested.

In testimony whereof we have hereunto set our hands, at
St. Pierre, Martinique, the 12th November 1794.

(Signed) *Catala, Jacquin, jun. Borde, Pecoul,
Ph. Menard, St. Cerques.*

I, the underwritten King's Attorney in the court of justice of St. Pierre, do hereby certify, that the above signatures are well known

to be those of the former commissaries of Government. In testimony whereof I have hereunto set my hand, and the seal of the court.

St. Pierre, Martinique,
the 14th day of November 1794. *Regnaudin.*

A true translation by the sworn interpreter.
St. Pierre, Martinique, the 14th November 1794.

Chs. Sorin.

May it please your Excellency,

If the island of Martinique now enjoys any degree of happiness, it is to your wise administration alone that we are indebted for it. It was not enough to have conquered the colony; it was besides necessary to insure its tranquillity. An active vigilance and seasonable measures have put this island, the most valuable in these seas, out of the reach of the enemy's intrigues and depredations.

As for us, who have been happy enough to co-operate with your Excellency in maintaining good order in the town of St. Pierre, we confess that it is wholly to the protection with which your Excellency honoured us, and to the confidence which he placed in our abilities, that our success is to be attributed. We shall ever be mindful of your Excellency's kindness. To the sentiments with which we are impressed let him allow us to add, the assurance of the most sincere and unfeigned attachment. This homage, which springs from the heart, is the faithful expression of our gratitude. Sir Charles Grey's happiness will ever be the object of our prayer.

The Members of the Court of Common Pleas at
St. Pierre, in Martinique.

(Signed) *Astorg*, Judge; *Catala*, Substitute to the King's Attorney; *Renaudin*, King's Attorney; *Pecoul*, 2d ditto; *Jaguin*, Register; *Borde*, 2d Register.

Abstract from the Records of the Superior Council of Martinique.

MARTINIQUE.

This day the Court, anxious to give to his Excellency Sir Charles Grey a proof of the extreme satisfaction they have felt during the time of his administration, and of the infinite concern with which they are impressed by his Excellency's departure from this colony;

Resolves, That Messrs. Clarke, the senior magistrate of the Court, and Menant, one of the Magistrates, shall be appointed to express to his Excellency the sentiments of the Court, when they will present to him a copy of the present resolves.

Given in Superior Council, this 22d day of November 1794.

(Signed) *Roignan*, Register.

(Seal.) Sealed this 22d day of
November 1794.

(Signed) *Borde.*

A true translation. Given under the hand and seal of the sworn interpreter of the colony of St. Pierre, Martinique, the 24th day of November 1794.

Chs. Sorin.

Martinique—presented the
24th November 1794.

Address to his Excellency Sir Charles Grey, Knight of the Bath, General, &c. &c. &c.

SIR,

Anarchy, and all the crimes by which it is surrounded, had spread its empire over the French colonies. Your Excellency led here a triumphant army. All has been subdued by you, except the climate. Necessary precautions have determined the severe measures by which Martinique has been preserved from fresh calamities. To the triumph of arms your Excellency has united the wisdom of administration, and you carry with you the double glory of having conquered enemies, and bound to you the hearts of his Majesty's new subjects.

(Seal.) (Seal.)

(Signed) *Clarke, Ménant.*

A true translation. Given under the hand and seal of the sworn interpreter of the colony—St. Pierre, Martinique, the 24th day of November 1794.

Charles Sorin.

Copy of a Letter written to M. de Curt, Deputy of the Colony of Martinique, in London, and addressed to him by Mons. la Hante, appointed for that purpose by the Superior Council.

Fort Royal, 8th November 1794.

By the resolves of the Superior Council, which I have the honour to transmit to you, Sir, you will see that the Court, in appointing me Commissary for the purpose of carrying on a regular correspondence with you, has especially directed me to inform you of its opinion on the measures taken by his Excellency Sir Charles Grey to secure the tranquillity of this colony.

The Court has had some reason to believe, Sir, that persons, moved by various motives, have endeavoured to throw some blame on the operations of his Excellency concerning the individuals sent away, and whose residence in this island would have hazarded the safety, not only of Martinique but of all the West Indies. The Court thinks that it is its duty to undeceive, as much as it is in its power to do so, his Majesty's ministers, that they might not suffer themselves to be imposed upon; and this is what I am directed to let them know through you.

The proclamations issued by the commanders in chief at the time they attacked Martinique, and which probably had been penned agreeable to the directions they had, these proclamations had before-hand declared the measures that have been taken since—full of clemency, while they held forth a pardon to all those who would oppose no resistance, and even sheltered them from the criminal prosecution of the law, for all the heinous and sanguinary acts of which they had been guilty—they in the mean time had made however a

special

special reserve, which they declared to be unavoidably fulfilled, viz. the sending away all guilty people, and all individuals dangerous to society, in a country where his Majesty's intention was to re-establish the reign of good order and laws.

So evidently necessary was this measure, that it seems needless to prove it—and indeed of what was composed the set of people of which his Excellency Sir Charles Grey has endeavoured to exonerate the colony? Whites, mostly stained with crimes, all instigators or agents of destruction or conflagration—people of colour entirely lost in guilt; and slaves armed against their masters. It certainly would have met the general wish, if in each of those classes the public punishment of some of the most guilty individuals had served as an example to terrify the audacity of whomsoever would presume to involve again the colony in fresh disturbances; but by forbearing to put in force such severity, advantageous as it was, it became the more necessary to remove so many people, whose impunity could only entice them to commit crimes again. Could any tranquillity be expected in the colony, by forcing the colonists to remain surrounded by all those who had murdered their relations, their friends? who had plundered and committed to the flames their property, and who were still in the same disposition of mind? Could the commanders in chief, with the small forces they had, preserve under the dominion of Great Britain this country, where so many individuals avowed still publicly these sentiments, contrary to the new government; and declared, in an open manner, that they expected nothing but a little assistance from the Convention to be masters again, and deliver up the colonists to the guillotine? And should this be looked upon as a bare assertion, let the truth of it be judged by a reflection on the events of Guadaloupe. This colony, which had just passed to the British Government, had been only partly cleared as yet of the dangerous individuals it contained.—A small armament from the republic arrives; the republican chiefs are at first at a loss; they hesitate, and are almost ready to quit the coast; but from every point of the shore they receive information; they are apprised of the weakness of the garrison, and of every circumstance that may be favourable to their enterprise; they are invited to make an attempt; they do it, and are soon joined by all the perfidious enemies which Guadaloupe still concealed, and by all those who had not been removed far enough not to meet again at the first opportunity.

What has been the consequence of this? You know it too well, Sir. By these events the safety of the old and new possessions of Great Britain in the West Indies has been and is still in peril.

Therefore it is now very evident (for all those who are not led by particular interest to think, or to seem to think otherwise) that far from having exceeded the line of precaution necessary on that point, authority has remained within it.

Let us now examine what has been the conduct of Sir Charles Grey in the manner of fulfilling these measures:

Guided by that love of justice which distinguishes him, by that goodness which is the foundation of his character, lamenting the measures equity and public safety obliged him to take, he has neglected nothing to come at the truth. He has taken every possible precaution to prevent private animosity from having any influence on those operations; he has spared neither his time, nor pains and trouble, to discover the errors into which he might have been led. Sometimes, through the apprehension of being unjust, he has preferred rather to be less prudent, and in the contest between his opinion and the goodness of his heart, the latter has always had the advantage. With regard to the property of individuals killed in arms, absent fugitives, or transported, he has done every thing that was humanely possible to prevent depredation. Wise regulations, the execution of which has been entrusted to honest and able men, have established order in that department—have continually sought the means of preservation, and prepared things in such a manner, that the intentions of his Majesty on that subject will be easily fulfilled when known.

Such is, Sir, the opinion of the court. It was its duty to manifest it, in order to let nothing be unknown to his Majesty's ministers of what may contribute to the peace and prosperity of this colony, and in order to do that justice which is due to a commander, whose pure, upright, and benevolent intentions have displayed themselves in numerous circumstances undoubtedly. If, being almost constantly taken up with military operations, and if, finding it impossible to observe every thing himself, it has been totally out of his power in such a short space of time to make this colony reap all the advantages he wished, he has however procured to it very great ones progressively, and his continual care will procure more. But his conduct has particularly been worthy of praise in the line in which I am especially directed to converse with you; and I am now to beg of you, Sir, in the name of the court, to declare to his Majesty's ministers, that if the colony of Martinique, in the series of disturbances and danger by which it has been surrounded, and notwithstanding the efforts of agitators, has enjoyed some tranquillity, we are indebted for it to the measures taken on that point by the commander in chief.

I have the honour to be, &c.

(Signed)

La Hante.

No,

No. 10.

Copies of Separate Instructions to General Sir Charles Grey, dated Nov. 1793:—With Copies of several Papers therein referred to.

Separate Instructions for our trusty and well-beloved Sir Charles Grey, Knight of the Most Hon. Order of the Bath, and Lieutenant-General of our Forces, whom we have appointed General and Commander in Chief of our Forces, employed or to be employed in the West Indies. Given at our Court at St. James's, the Day of November 1793, in the thirty-fourth Year of our Reign.

Whereas it has been represented to us, that it may be necessary, for prevention of all disputes that might otherwise arise concerning the distribution of booty gained from the enemy at land during the present expedition, that certain rules and proportions should be laid down and settled for the distribution thereof: Now, being desirous to preserve that harmony and good understanding between our land and sea forces, which is necessary for the carrying on this service with success, we have thought fit to order, and we do hereby order and direct, that you do settle with Sir John Jervis, or with the commander in chief of our ships, in what manner and proportion booty taken from the enemy at land during the present expedition shall be distributed between our land and sea forces, in all cases where the said land and sea forces shall be jointly engaged in the attacking and taking of any place, fort, or settlement from the enemy.

And that you may be apprised of such methods as have been heretofore taken in the like cases, we have ordered two copies of former Regulations to be delivered to you with these our Instructions, whereof one is an order made for the distribution of prizes and booty that should be taken in the West Indies in an expedition against the French islands, under the command of Commodore Wilmot, in the year 1694; and the other a Regulation settled by her late Majesty Queen Anne, for the distribution of prizes and booty, that should be taken from the enemy in the year 1702, in an expedition designed to have been commanded by the Earl of Peterborough; together with a Paper that had been prepared in the year 1740, in conformity to the two preceding settlements, so far as they are not repugnant to provisions made in this behalf by subsequent Acts of Parliament; and likewise certain Plans for the distribution of the prizes and booty, which had been taken at St. Eustatius by the late Lord Rodney and Major General Vaughan, transmitted by my orders for their consideration and opinion thereon, in a letter from the late Lord Viscount Sackville, then being one of our principal Secretaries of State; whereby you may be the better enabled to form such dispositions and regulations for the distribution of booty gained from the enemy at land, during the present expedition, as may be agreeable to justice and to former practices on the like occasions. And whereas it is our royal intention that our respective corps of black dragoons, pioneers, and artificers, who may serve in this expedition, should have an equal share in all booty gained

gained from the enemy, in common with our regular troops, you are hereby directed to take care, that in all dispositions the said corps be considered, and have their share of such booty allotted to them, in proportion to their respective numbers, ranks, and pay : You will also take care that, in such dispositions, a proper regard be had to all negroes who shall attend this expedition, and to all peasants and others working to clear ground, assisting at sieges, or otherwise employed in any military service.

Whereas by our proclamation, bearing date the 19th of this instant June, we have directed in what manner and proportion all prizes taken at sea, during the present war with Spain, shall be distributed, pursuant to the power reserved to his Majesty for that purpose, by an Act passed the last session of Parliament, intituled, "An Act for the more effectual securing and encouraging the trade of his Majesty's British subjects in America, and for the encouragement of seamen to enter into his Majesty's service," as by our said proclamation, reference being thereunto had, may more fully appear :

And whereas it will also be necessary to prevent all disputes that may arise during the present expedition about booty taken from the enemy at land, that certain rules should be laid down, and proportions settled, for the distribution of such plunder ; we have thought fit to order and direct, and we do hereby order and direct,

1st. That in all cases where his Majesty's land and sea forces shall be equally engaged in the attacking or taking of any place, fort, or country from the enemy, the booty there gained shall be distributed between the said land and sea forces engaged in such enterprise in the manner following ; viz.

The whole amount of such booty shall be divided into fifteen equal parts or portions,

Whereof 5 — 15^{ths} shall be given to the two Commanders in Chief of the land and sea forces, to be equally divided between them.

To the other General Officers, Admirals, and Commodores, to be divided amongst them, in proportion to their respective salaries 1 — 15th.

To the several Colonels, Lieutenant Colonels, Quarter Master General, Adjutant General, Commisary General, Pay Master General of the land forces, Judge Advocate, Secretaries to the General and Admiral, Provost Marshal, Physicians, Surgeons, and Chaplains General, by land and sea, Majors of regiments and of brigades, Aid-de-camps upon the establishment, Captains and Lieutenants at land and sea, Ensigns, Adjutants, and Quarter Masters of regiments, Chaplains and Surgeons of regiments and ships, Directors of the hospital, their Surgeons and mates, to be divided amongst them, in proportion to their respective salaries, excepting in the particulars hereinafter mentioned, 3 — 15^{ths}.

The

6 — 15th

The remaining 6 parts to be divided amongst all the Non-commission Officers at land and sea, Soldiers and Sailors, in proportion to their respective pay or salary, excepting only as hereafter is provided.

15

2. In which distribution Commanders in Chief by land and by sea shall be equally considered; Rear Admirals shall be accounted as Major Generals; Commodores wearing broad pendants as Brigadier Generals; Captains of the ships of line of battle as Colonels; Captains of lesser ships of war, giving rank, as Lieutenant Colonels; Masters and Commanders of fire ships, bomb ketches, sloops, and other ships of war, not giving rank, as Majors; Lieutenants at sea, and Masters of ships, giving rank, as Captains of the land forces; Gunners, Purfers, Boatswains, and Cooks, as Lieutenants of land forces; Midshipmen, and all other petty officers at sea, as Serjeants of the land forces, notwithstanding any disparity between the pay and salary of such land and sea Commanders; and shall receive their portion of plunder accordingly. It is likewise our pleasure that all Soldiers and Sailors, notwithstanding any disparity in their pay, be equally considered and receive their respective shares accordingly.

3. But whenever the service done shall be carried on by the land forces only, then the whole booty shall be divided amongst them, in the following manner:

To the General and Commander in Chief	5 — 15 th
To the General Officers, in proportion to their respective salaries	1 — 15 th

To the several Colonels and Lieutenant Colonels, Quarter Master General, Adjutant General, Commissary General, Paymaster General, Judge Advocate, Secretary, Physician, Chaplain, and Surgeon to the General, Provost Marshal, Majors of regiments, and of brigades, Aid-de-camps upon the establishment, Captains, Lieutenants, Ensigns, Adjutants, Quarter Masters, Chaplains and Surgeons of regiments, Directors of hospitals, their Surgeons, and Mates, 3 — 15 th , to be divided amongst them, in proportion to their respective pay or salaries	3 — 15 th
--	----------------------

The remaining six parts to be divided amongst the Non-commissioned Officers and Soldiers, in proportion to their respective pay or salaries	6 — 15 th
---	----------------------

15

4. It is likewise our intention that in both the afore-mentioned distributions, Commissaries of stores and provisions, and all the Com-

Commission and Non-commission Officers, Engineers, Gunners, Matrosses, Artificers, and Soldiers belonging to the train of artillery attending this expedition, be considered and have their share of the said plunder, in proportion to their ranks and salaries.

5. But no Officer shall be allowed to share in two capacities, (that is to say) both as a General Officer and Colonel of a regiment, or as Adjutant and Lieutenant, as the case may happen; and whenever any person shall hold two different employments, he shall chuse in which of them he will take his dividend; but it is not hereby intended to exclude Colonels, Lieutenant Colonels, and Majors from receiving their shares as Captains, as well as Field Officers.

6. And whereas his Majesty, by instructions to his Governors of his colonies on the continent of North America, and to his Governor of the Leeward Islands, has declared it to be his royal intention, that the forces ordered to be raised by the said Governors for his Majesty's service, and to attend this expedition, shall have an equal share in all plunder gained from the enemy, in common with the rest of his Majesty's troops: Now you are hereby directed to take care, that in all distributions the said American levies be considered, and have their share of all booty, in proportion to their respective ranks and pay accordingly.

7. We do also think fit to direct that Pioneers or Peasants working to clear grounds, and assist at sieges, shall be considered, and have their distribution of booty equally with the common Soldiers; and that every Officer, Soldier, or Seaman, that shall happen to be wounded in any siege or action where booty shall be taken, shall have a double share in proportion to his rank, in consideration of such wounds.

ANNE R.

The Distribution of Prizes and Booty that shall be taken from the Enemy in the West Indies.

That of all the prizes taken at sea, her Majesty do, in the first place, reserve to herself and the States General, all guns, arms, and ammunition, the hulks, sails, cordage, anchors, naval stores, and provisions of ships of war.

That the whole remainder, after deducting the tenths for the Lord High Admiral, her Majesty and the States General shall have two thirds.

That the remaining third (after such defalcation) shall be divided into sixteen parts, and distributed as follows:

To the Admiral	- - -	3 Sixteenths
To the Vice Admiral	- - -	1
To the Captains and Lieutenants	- - -	4
To the rest of the Non-commission Officers and Seamen	- - - }	8

That all prizes at sea be divided among the Seamen only, according to the said proportions; and that the booty at land be divided among the Landmen only.

That of all booty taken at land her Majesty does reserve to herself and the States General two thirds, in case the town or place be taken by capitulation; but in case the place or town be taken by storm, then her Majesty reserves to herself and the States General only one third.

That the remaining third, or two thirds as aforesaid, shall be divided into sixteen parts, and shall be distributed as follows, *viz.*

To the General	-	-	-	3
To the other Officers	-	-	-	1
To the Colonels, Lieutenant Colonel,	}	4	8	
Major, Captain, Lieutenants, and				
Ensigns				
To the rest of the Non-commissioned	}	8		
Officers and Soldiers				
				16

That when any Landmen are commanded on board any ships of her Majesty and the States, in any expedition, or if in their passage to the West Indies, or in the West Indies from one place to another, that transports shall be engaged, and a prize taken, the Landmen, as well Officers as common Soldiers, on board the ships of war or transport ships, shall be considered as Seamen; and that when Seamen shall be joined with Landmen in land service, they likewise, both Officers and Men, shall be considered as Landmen in the dividends of the booty.

That of all booty and prizes to be taken in any service at land, in which the Commanders in Chief of the Squadron for the time being shall assist, with Seamen belonging to the ships of that Squadron (which Men shall not be distributed into companies of a lesser number than what the land forces do consist of), the Commander in Chief shall have the same share as is allowed to a Colonel, and the Officers which shall be appointed by him to command these Men shall in like manner be considered as land Officers.

That where her Majesty's ships and those of the States shall concur in the siege or attack of a place, the Officers and Seamen of those ships shall share in the distribution of the booty as Landmen.

That if any fleet of the enemy shall come to relieve any place so attacked or besieged, and that the fleet of her Majesty and the States General, or any Squadron of it, shall attack such fleet, then the Officers and Seamen of such fleet or Squadron, so engaged, shall share as Landmen in the distribution of the booty of such place, if taken.

That in all other cases which cannot be foreseen, the Admiral of the fleets of her Majesty and the States General in the West Indies, and the General of the land forces there, shall concert such measures for the distribution of the booty and plunder, as may seem most agreeable to these directions, and as the particular nature of the case may require.

That in all such cases as aforesaid, where the sea and land men shall be jointly entitled to the dividend; the same shall be done after the respective defalcations above mentioned, according to the following proportions:

Between the Admiral and General at land equally	} 3 Sixteenths.
Between the Vice Admiral and other Ge- neral Officers	} 1
Colonels, Lieutenant Colonels, Majors, Captains, at sea and land, and En- signs	} 4
The rest of the Non-commissioned Officers at sea and land, the Seamen and Sol- diers	} 8

That no officer of the militia shall be considered as a Colonel that commands less than 500 men, nor as a Captain that hath fewer in his company than 40, unless such regiment or company, after their proceeding on this expedition, happen to be reduced by sickness, or the accidents of war.

The aforesaid proportions allowed to the seamen and landmen shall be in all cases distributed between the English and Dutch in manner following; *viz.* the Dutch shall have such part thereof as is proportionable to the number of ships or landmen respectively employed in the respective services, to be divided among them as their Commanders in Chief shall judge proper, and the rest shall be disposed as aforesaid to her Majesty's subjects.

The Distribution of the Prizes and Booty that should be taken in the West Indies, under the Command of Commodore Wilmot, 1694.

1. All prizes taken at sea were to be distributed according to an Act of Parliament in that behalf; and of all the booty at land, a third part was to be set aside for the Lieutenant Governor of Jamaica, when Commander in Chief on any expedition, or to the Commander in Chief for the time being; the other two thirds to be distributed among the officers and soldiers, as will be hereafter more particularly expressed.

2. His Majesty's part of all prizes at sea was to be divided among the seamen only, and the booty at land among the landmen.

3. But when landmen happened to be commanded on board upon any expedition, or if in their passage to the West Indies their transport ships should be engaged, and a prize taken, such landmen were to be considered as seamen, and their officers on board to receive a share, according to their pay; and in like manner the seamen and their officers, when on shore, were to receive a dividend, according to their pay.

4. That

4. That all booty taken in service on shore, wherein the Commander in Chief of the Squadron for the time being should assist, with 400 seamen or more, the said Commander in Chief was to have the share allotted to a Colonel, and the officers appointed by him to command those men to be considered as land officers.

5. No officer of the militia was to be considered as a Colonel, who commanded less than five hundred men, nor as a Captain if he had less in his company than fifty; unless such regiment or company should, after their proceeding on the expedition, happen to be reduced by sickness, or accidents of war.

Two Thirds of the Booty taken at Land to be thus divided,
To Field and Staff Officers,

	Shares.
Colonel as Colonel	18
L ^t Colonel as L ^t Colonel	10 $\frac{1}{2}$
Major as Major	7 $\frac{1}{2}$
Captain	10
Adjutant	6
Surgeon	6
Surgeon's Mates 2—4 shares each	8
Quarter Master	6
Total	<u>72</u>

One Company.

Captain	12
Two Lieutenants, each 6 shares	12
Ensign	4 $\frac{1}{2}$
Six Serjeants	12
Six Corporals	9
Two Drummers	3
Two hundred private men	200
Five Companies more, consisting of the like number	} 1,262 $\frac{1}{2}$
The Commissary of Stores and Provisions, Pay-master of the Forces, Commissary of the Musters, and Judge Advocate	
	12
	<u>1,599</u>

To the Officers of the Ordnance.

Ensign	15
Master Gunner	7 $\frac{1}{2}$
Gunner's Mate	4 $\frac{1}{2}$
Twelve Gunners, each three shares	36
Fire Master	7 $\frac{1}{2}$
Six Bombardiers, each 3 and $\frac{3}{4}$ shares	22 $\frac{1}{2}$

4 C 2

Master

PAPERS RELATIVE TO

Master Carpenter	-	6
Three Mates, each 3 and $\frac{3}{4}$ shares	-	11
Surgeon	-	6
		116
		1,599
Total	-	1,715

Two Thirds of the King's part of the Prizes at sea were to be divided after this manner; viz,

To the Captain	-	Three Eighths.
Lieutenant	}	One Eighth.
Master	}	
Boatswain	-	} One Eighth.
Gunner	-	
Purser	-	
Carpenter	-	
Master's Mate	-	
Surgeon	-	
Chaplain	-	
Midshipmen	-	
Carpenter's Mates	-	
Boatswain's Mates	-	
Gunner's Mates	-	
To the Corporals	-	} Two Eighths.
Yeomen of the Sheets	-	
Cockswain	-	
Quarter Masters	-	
Doctor's Mates	-	
Surgeon's Mates	-	
Yeomen of the Powder Room	-	
Trumpeter	-	} Two Eighths.
Quarter Gunner	-	
Carpenter's Crew	-	
Steward's	-	
Cook	-	
Armourer	-	
Steward's Mate	-	
Gunsmith	-	
Swabber	-	
Ordinary Trumpeter	-	
Barber	-	
Able Seamen	-	

To be divided equally among them.

To be divided equally among them.

Lastly, such officers, soldiers, and seamen as should happen to receive wounds in any action, where booty or a prize should be taken, were to have a double share, in consideration of the said wounds.

In-

GEORGE R.

(L. S.)

Instructions for our trusty and well-beloved Sir George Bridges Rodney, Baronet, Admiral and Commander in Chief of our Naval Forces in the Leeward Islands; and the Honourable Major General Vaughan, Commander in Chief of our Land Forces in the said Islands. Given at our Court at St. James's, the Thirtieth Day of March 1781, in the Twenty-first of our Reign.

Whereas, by the blessing of God upon your prompt and vigorous execution of our orders, you have obtained possession of the Dutch islands of St. Eustatius, St. Martin, and Saba, and thereby, and in consequence thereof, captured a large number of ships and vessels, merchandise, naval and military stores, provisions, and other effects, the property of the enemy, which by law appertaineth unto us in virtue of our prerogative royal: But we, being graciously disposed to reward the zeal and bravery of you our said Commanders in Chief, and of our land and sea forces under your respective commands, employed upon these services, and to encourage all others our forces, and their commanders, to pay the like ready and punctual obedience to our orders, and to exert their utmost vigilance, alacrity, and intrepidity, in the execution of them, do relinquish, and have hereby relinquished, all our right, title, and claim to the said ships and vessels, merchandise, naval and military stores, and other effects of the enemy, so captured by you our said Commanders in Chief, and our land and sea forces under your respective commands (except only the whole of the provisions, and the ordnance, arms, ammunition and other military stores, provided for the defence of the said islands, or which may be judged necessary by you and our engineer for that purpose), which have been found therein, the same to be for your and their sole use and benefit, to be divided in such manner as we shall hereafter direct and appoint; saving always to the settled inhabitants of the said islands the possession of their lands and produce thereof, houses, slaves, cattle, furniture, utensils, and stock, that shall be found thereon, as also all such effects as shall be proved to be the property of British subjects lawfully exported thither, or which may lawfully be imported into Great Britain from thence.

G. R.

One eighth of the whole of the captured effects of the enemy to be equally divided between you, our Commanders in Chief of our land and sea forces; and the remaining seven eighths to be

FIRST PLAN,

Divided between our land and sea forces (except our said Commanders in Chief) into two shares, according to the numbers mustered in each service.

That that share which falls to the sea service shall be divided, one eighth among our Flag Officers serving under our Commander in Chief, and the remainder to be divided among the Captains, Officers, Petty Officers, Seamen, and Marines, according to the regulations established in our navy: And that that share which falls to our land forces shall be divided among the Officers and Men serving under our Commander in Chief, in proportion to their respective rank and pay.

SECOND PLAN,

Divided among our land and sea forces, according to the numbers mustered in both services (except our Commanders in Chief, who are already provided for), to share according to the rank established by us, between our land and sea forces; and the private Soldiers and Sailors, and Marines, to share alike.

THIRD PLAN,

The following is the mode of distribution directed by his Majesty's proclamation; but as in the present case the chief merit of the capture is to be ascribed to the Commanders in Chief, to whose expeditious and judicious measures it is owing that the booty is so considerable, the proportion allotted to them is judged too small, and that $\frac{2}{16}$ should be allowed, and the subsequent allotments to be made out of the remaining $\frac{14}{16}$.

- $\frac{1}{16}$ Commanders in Chief.
- $\frac{1}{16}$ General Officers and Flags.
- $\frac{4}{16}$ Captains of ships, Colonels, Lieutenant Colonels, and Major.
- $\frac{2}{16}$ Lieutenants of ships, Captains of Army and Marines.
- $\frac{2}{16}$ Warrant Officers, Army and Marines, Subalterns.
- $\frac{2}{16}$ Petty Officers of Navy, Sergeants, and Corporals of Army and Marines.
- $\frac{4}{16}$ Sailors, Soldiers, and Marines.

No. 11.

Copy of a Letter from Sir Charles Grey, K. B. and Sir J. Jervis, K. B. to Mr. Secretary Dundas; dated Barbadoes, 16th January 1794. Received 27th February 1794. (One Inclosure.)

SIR,

Barbadoes, 16th January 1794.

In obedience to his Majesty's most gracious commands, signified to us in your letter of the November last, we beg leave humbly and dutifully to submit to his Royal consideration the enclosed plan for the distribution of such booty as may be taken in the expedition under our command, which we trust will be found equitable, and likely to seal the harmony which happily subsists between his Majesty's land and sea forces.

We have the honour to be,

SIR,

Your most obedient

Humble Servants.

(Signed)

C. GREY.

J. JERVIS.

Mr. Secretary Dundas.

No. 12.

(In Sir Charles Grey's and Sir John Jervis's, of 16th January 1794.)

DISTRIBUTION OF BOOTY, &c.

2 Commanders in Chief (equally)	-	-	8	-	-	64 ⁰⁰
Lieutenant Generals, Major Generals, and Brigadier Generals; Vice and Rear Admirals, and Commodores	}		4	-	-	Do.
Colonels, Lieutenant Colonels, and Majors, Post Captains, and Masters and Commanders	}		15	-	-	Do.
Captains of the Army and Marines, and Lieutenants of the Navy	}		7	-	-	Do.
Subalterns of the Army and Marines, and Warrant Officers of the Navy	}		7	-	-	Do.
Petty Officers of the Navy, Serjeants of the Army and Marines			7	-	-	Do.
Soldiers, Seamen, and Marines			16	-	-	Do.

No.

No. 13.

Extract of a Letter from Mr. Secretary Dundas to Sir Charles Grey, K. B.; dated Whitehall, 7th March 1794.

His Majesty is graciously pleased to approve of the plan suggested in Sir John Jervis and your joint letter, for the distribution of such booty as may be taken in your expedition; and I shall take the necessary measures for carrying the same into effect.

No. 14.

Copy of a Letter from his Grace the Duke of Portland, to the Agents on behalf of the Inhabitants and Proprietors of the Island of Martinique; dated Whitehall, 30th April 1795.

GENTLEMEN,

Whitehall, 30th April 1795.

In answer to the Memorial which has been transmitted to me from the Agents on behalf of the inhabitants and proprietors of the island of Martinique on the subject of certain proclamations issued during the command of Sir Charles Grey and Sir John Jervis in the West Indies, I beg leave to inform you, that his Majesty's ministers, the moment they were informed of the nature of those proclamations, sent directions respecting them, in consequence of which, no further proceedings were had upon them; and information has since been received, that those directions were so clearly understood, that the money which had been paid as contribution has already been returned; so that the proclamations in question cannot but be considered to be, as in fact they are, annulled.

I am, &c.

PORTLAND.

To the Agents on behalf of the inhabitants and proprietors of the island of Martinique.

No. 15.

Copy of the Memorial of the West India Planters and Merchants; dated London, May 4th, 1795. Received 7th May, from Lord Pembury.

To his Grace the Duke of Portland, one of his Majesty's Principal Secretaries of State.

The Memorial of the West India Planters and Merchants;
Sheweth,

That your Memorialists are under the greatest alarm for the safety of the West India colonies, owing to the present weak state of their defence, and the very imminent dangers with which they are threatened, both by external attacks and the internal dissemination of French principles.

I

That

That the system of general emancipation, introduced by the French among their own negroes, and which they have endeavoured to communicate to all the British islands, has created a very formidable accession of strength to themselves, as was lately experienced in the island of Guadaloupe, and that temporary exertions of more than ordinary vigour, are thence become necessary for the defence and safety of those islands.

That your Memorialists cannot but, upon this occasion, advert to the representations they have so urgently made to his Majesty's Secretary of State, stating the consequences which might be expected to result from the unprecedented conduct of Sir Charles Grey and Sir John Jervis, on taking possession of the French captured islands; which conduct they must consider as the primary and efficient cause of the progress which the enemy has lately been enabled to make, whether in the recovery of a part of the French colonies, or in the plunder and devastation of our own: That your Memorialists see in the late proclamations of the French commissioners not only a confirmation of this opinion, but great occasion to dread that the violent proceedings of the British commanders may be retorted with aggravated severity, whenever the fortune of war shall afford an opportunity; and that it is with deep regret your Memorialists now reflect that had an early and public disavowal of the proclamations and proceedings in question been made by the British Government, a great part of the recent calamities might have been prevented.

That from the late public events which have taken place in Europe, as well as from many local circumstances in the West Indies, your Memorialists have reason to apprehend that the French nation will devote a considerable part of its force, which has hitherto been employed upon other services, to the capture and devastation of the British West India colonies, being well aware of the immense advantages thence derived to the revenue, commerce, and naval strength of the British empire.

That the West India islands have, at all times, been greatly exposed to the calamities of war; but that the evils which they have reason to dread from a continuance of the present war are infinitely more disastrous than at any former period of their history, owing to the character of the enemy they have to contend with, and the destructive tendency of the principles avowed and propagated by that enemy.

That in the judgment of your Memorialists, nothing can effectually guard against these complicated dangers but a strong military force, both by sea and land, for the general protection of all the islands, and a separate garrison to be stationed during the war in each island, for its own peculiar defence.

In a situation of new and extreme danger, the existence of the British colonies at stake, and the lives and fortunes of the inhabitants depending on the issue; your Memorialists do therefore, in the most solemn manner, on behalf of those inhabitants and themselves, appeal to the wisdom of his Majesty's councils for protection; and

humbly implore that if the war is likely to be continued, a force may be immediately sent to the different islands, sufficient as well to preserve their internal tranquillity, as to defend them against a foreign enemy, and (as essential to the protection and safety of the remaining British colonies) that the conduct of those British commanders, who assumed a right to levy a general contribution on the inhabitants of the French captured islands, or to confiscate their property, in contradiction to his Majesty's proclamation, may be solemnly and publicly disavowed.

No. 16.

Copy of a Letter from his Grace the Duke of Portland to the West India Merchants and Planters; dated Whitehall, 12th May 1795.

GENTLEMEN,

Whitehall, 12th May 1795.

I have received, through Lord Penrhyn, your Memorial, praying for a strong military force, both by sea and land, for the general protection of the British West India islands, and a separate garrison to be stationed in each island; also for a public disavowal of the proclamations issued during the command of Sir Charles Grey and Sir John Jervis.

The answer already given by Mr. Secretary Dundas, and the exertions which have been, and which continue to be, made for the protection of our West India possessions, render it unnecessary for me to dwell upon those parts of your Memorial which relate to the military supplies you require.

With regard to a public disavowal of the above proclamations, I cannot help referring to my letter to you of the 30th of April, as containing the most direct and conclusive testimony of the light in which those proclamations have been considered; the proceedings under them have been already countervailed, and I do not therefore see how they can serve even as a pretext to the French for executing the purposes which your Memorial suggests.

You must be well aware that it is not merely at this moment, but from the very commencement of the war, that the attempts of the French to carry anarchy and devastation into our West India islands, have been uniform and systematic; originating with themselves, and founded on those principles which have been openly avowed by them in that quarter of the world.

I shall therefore only add, that a general declaration of the nature of that required by the present Memorial, and involving in itself questions of the law of nations, cannot, with any degree of propriety, be made in the present case by his Majesty's ministers, acting as such, and not in any judicial capacity.

I am, &c.

PORTLAND.

West India Merchants
and Planters.

No.

No. 17.

London, May 4th, 1795.

Memorial of the West India Planters and Merchants; praying for a strong Military Force, both by Sea and Land, for the general Protection of all the British West India Islands, and a separate Garrison to be stationed in each Island; also for a public Disavowal of the Proclamations issued by Sir Charles Grey and Sir John Jervis.

To the Right Hon. Henry Dundas, one of his Majesty's Principal Secretaries of State.

The Memorial of the West India Planters and Merchants;

Sheweth,

That your Memorialists are under the greatest alarm for the safety of the West India colonies, owing to the present weak state of their defence, and the very imminent dangers with which they are threatened, both by external attack, and the internal dissemination of French principles.

That the system of general emancipation introduced by the French among their own negroes, and which they have endeavoured to communicate to all the British islands, has created a very formidable accession of strength to themselves, as was lately experienced in the island of Guadaloupe; and that temporary exertions, of more than ordinary vigour, are thence become necessary for the defence and safety of those islands.

That your Memorialists cannot but, upon this occasion, advert to the representations they have so urgently made to his Majesty's Secretary of State, stating the consequences which might be expected to result from the unprecedented conduct of Sir Charles Grey and Sir John Jervis, on taking possession of the French captured islands; which conduct they must consider as the primary and efficient cause of the progress which the enemy has lately been enabled to make, whether in the recovery of a part of the French colonies, or in the plunder or devastation of our own: That your Memorialists see, in the late proclamations of the French commissioners, not only a confirmation of this opinion, but great occasion to dread that the violent proceedings of the British commanders may be retorted with aggravated severity, whenever the fortune of war shall afford an opportunity; and that it is with deep regret your Memorialists now reflect, that had an early and public disavowal of the proclamations and proceedings in question been made by the British Government, a great part of the recent calamities might have been prevented.

That from the late public events which have taken place in Europe, as well as from many local circumstances in the West Indies, your Memorialists have reason to apprehend that the French nation will devote a considerable part of its force, which has hitherto been employed upon other services, to the capture and devastation of the British West India colonies, being well aware of the immense ad-

vantages thence derived to the revenue, commerce, and naval strength of the British empire.

That the West India islands have at all times been greatly exposed to the calamities of war, but that the evils which they have reason to dread from a continuance of the present war, are infinitely more disastrous than at any former period of their history, owing to the character of the enemy they have to contend with, and the destructive tendency of the principles avowed and propagated by that enemy.

That, in the judgment of your Memorialists, nothing can effectually guard against these complicated dangers, but a strong military force, both by sea and land, for the general protection of all the islands, and a separate garrison to be stationed during the war in each island for its own particular defence.

In a situation of new and extreme danger, the existence of the British colonies at stake, and the lives and fortunes of the inhabitants depending on the issue; your Memorialists do therefore in the most solemn manner, on behalf of those inhabitants and themselves, appeal to the wisdom of his Majesty's councils for protection; and humbly implore that, if the war is likely to be continued, a force may be immediately sent to the different islands, sufficient as well to preserve their internal tranquillity as to defend them against a foreign enemy; and (as essential to the protection and safety of the remaining British colonies) that the conduct of those British commanders who assumed a right to levy a general contribution on the inhabitants of the French captured islands, or to confiscate their property, in contradiction to his Majesty's proclamation, may be solemnly and publicly disavowed.

No. 18.

Copy of a Letter from Mr. Secretary Dundas to Lord Penrhyn; dated Horse Guards, 8th May 1795.

MY LORD,

Horse Guards, 8th May 1795.

I have received your Lordship's note, accompanying the Memorial of the West India planters and merchants, praying for a strong military force, both by sea and land, for the general protection of the British West India islands, and a separate garrison to be stationed in each island; also for a public disavowal of the proclamations issued by Sir Charles Grey and Sir John Jervis.

I feel much satisfaction in recollecting that at no period, since the commencement of the war, has there been any deficiency of exertions in furnishing the West India possessions with such a supply of both naval and military defence as the national force of the country would admit of; and if at any time these exertions have not, in all respects, had their complete effects, it has arisen from circumstances in which it is impossible to impute any blame to his Majesty's ministers. These exertions will be unremitted; but you are aware that, in sending reinforcements to the West Indies, the season of the

year

year must of necessity be attended to; and permit me to take the liberty of suggesting to the consideration of the West India planters and merchants, how far such frequent public discussions on their own supposed weakness is not calculated to increase, rather than diminish their danger.

I am well aware that the present warfare is, in almost every respect, different from any that ever existed; and that there is too much reason to apprehend, that the object of the enemy with whom we are engaged is rather a plan of savage devastation, than of conquest beneficial to themselves: But I cannot admit that such a plan originated in any of the transactions of Sir Charles Grey and Sir John Jervis; it being an absolute certainty that the system is the natural consequence of the principles on which the present government in France is founded, and existed long before either Sir Charles Grey or Sir John Jervis were employed in the West Indies.

With regard to the proclamation to which you refer, I think it unnecessary for me to add any thing to what is stated in the letter from the Duke of Portland. It is notorious that these proclamations were abandoned or annulled almost as soon as they were issued; and it must be mere pretext if such use is made of them as you seem to apprehend. I object therefore to the proposition of the West India planters and merchants, because they call upon his Majesty's ministers to establish a general rule on a subject which, in the various usage of war, does not admit of a special definition; and, if the matter occurs to you in the light it does to me, I am sure you cannot be disposed to continue a discussion which can have no other tendency than to injure the feelings of meritorious officers, to whose great exertions their country is much indebted, and in particular that part of the British empire in which the West India planters and merchants are so deeply interested.

I have the honour to be, &c.

The Right Honourable
Lord Penrhyn, &c. &c. &c.

HENRY DUNDAS.

No. 19.

*Petition of the Inhabitants of St. Lucia to General Sir Charles Grey;
without date.*

To his Excellency Sir Charles Grey, Knight of the Bath,
General, Commander in Chief of his Britannic Majesty's Armies in the West Indies.

May it please your Excellency,

This island, long actuated with intestine dissensions, and which, had not its saviours arrived, would have sunk beneath the repeated attempts of those greedy fierce men, who, justice and liberty in their mouth, crime and tyranny in their heart, had framed the design already put in execution at St. Domingo, to invade all properties, after having murdered the proprietors; this island is respiring at last under the

the tutelar flag of Great Britain; order and peace have succeeded disorder and anarchy. The benevolent intentions made manifest by your Excellency have rendered hope to the loyalists inhabitants, so long oppressed, and they already discover the dawn of the happy days, which are destined to them: In such a conjuncture they beg leave to apply themselves to your Excellency, and express their opinion and vows upon the most proper means to be made use of in order to procure to this island the degree of happiness which its extent, population, and soil, make it capable of. Among those means, the most efficacious would be its absolute independency from Martinico, and chiefly for the administration of justice.

The inconveniences arising from the necessity to go over to the council of Martinico six times a year are numerous and sensible.

First.—Writings of great worth, and whereof the loss would be irrecoverable, are ventured, as well as the lawyers and suitors, to all the dangers of the sea, especially during the hurricane months.

Second.—When the lawyers are either unable or unwilling to go themselves to the council, they send over the papers to their brother lawyers of Martinico, who have neither the time nor the will to examine carefully law-suits, in which they are personally unconcerned, and the best causes are often lost for want of a proper defence.

Thirdly.—It is equally troublesome and expensive for the inhabitants of St. Lucia to be constrained to go over themselves to Martinico, in order to solicit a judgment in their written law-suits, which commonly they obtain, but after several years of solicitation.

Fourthly.—The money that lay out and squander away, the advocates, attorneys, suitors, solicitors, what it does cost for the seals, deposition of fines, preparatory and definitive sentences, expences of reception, and others, amount at least, after a moderate computation, to 5000*l.* sterling a year; and this sum is very chargeable for an island in which there have been never 20,000*l.* sterling in circulation.

Fifthly.—The establishing of a superior tribunal in this island will alike be advantageous to the trading of Great Britain. A merchantman's master, after having sold his cargo, will not be constrained to go over to Martinico to solicit sentences against his no punctual or unfaithful debtors.

Sixthly.—Such an establishing will not be less useful for the judgment of the criminal than for that of the civil causes; the prisoners will no longer be sent beyond sea to undergo their trials; they will be known by their judges; and it is of an equal importance to secure the punishment of crime and the safety of innocence, that the judges may know the conduct, temper, and behaviour of those whom they are to try, and may confront the whole life of the prisoner with the crime put to his charge.

Seventhly.—The authority of the Governor of St. Lucia and that of Martinico's council having never been precisely determined, they almost ever stood in opposition against each other, relatively to the

ill settled bounds of their respective power; and the inhabitants submitted to contradictory orders, found themselves sometimes put between the obedience they owed to a superior tribunal, and that with which they were bound towards the representative of the King. This inconveniency will be removed when there will be in this island a court that will exercise its functions, under the over-seeing of the Governor, and presided by himself.

Eighthly.—And in fine your petitioners, who from this time consider themselves as subjects of his Britannic Majesty, whom there remains no hope to, but in his protection, who shall never cease to deserve it by their loyalty, love, and obedience, are entitled to the same treatment as his other subjects of the West Indies, who all enjoy the advantage of an independent government, and of a justice they obtain in their own country.

Against so urgent considerations, what could be reasonably objected? Those who would be desirous to keep the island of St. Lucia in an eternal dependency under Martinico, will say perhaps that it is in want of subjects having knowledge and experience enough to do worthily justice.—To this objection, the very establishing of a council, which already took place in this island the last year, after its having past under the dominion of his Britannic Majesty, is a very satisfactory answer. The members who composed that tribunal had ever enjoyed the esteem and confidence of their fellow-citizens; no one of their judgments was disannulled; no one was even challenged; and experience of the past is with that respect a happy pledge for the future.

In consequence your petitioners beseech very humbly your Excellency to grant them the establishments of a superior tribunal in this island, whereof all the members will be appointed by the representative of the King, who will exercise their functions under his over-seeing, and will be presided by him; and in the event that your Excellency would not think proper to order the establishing of a council in this island at this very moment, your petitioners intreat you very humbly to grant them your protection, in representing to his Britannic Majesty, that they may obtain that favour and claim from his benevolence and bounty.

Par mandement de tous les Commissaires, et au nom
de tous les Habitans Loyalistes, de St. Lucie.

Dupuy,
Commissaire du Quartiere
de la Reine.

COPY

Of a Letter from Sir Charles Grey, K. B. to Mr. Secretary Dundas; dated 20th May 1795, inclosing a printed Paper, intituled, "Proclamations, and other Papers, issued by the British Commanders in the French West India Islands."

Copy of a Letter from Sir Charles Grey, K. B. to Mr. Secretary Dundas; dated 20th May 1795.

SIR,

Being informed that some difficulties have arisen, in complying with the addresses of the House of Commons for copies of the proclamations issued by me and Sir John Jervis in the West Indies, I think it right to acquaint you, that several of the proclamations never having been acted upon, I did not think it necessary to transmit them to his Majesty's ministers. Amongst those not acted upon were two, dated in May 1794, one of which was issued by Lieutenant General Prescott, and the other by Sir John Jervis and myself. Under these circumstances, not considering that any future consequences would result from them, authentic copies were not preserved. The merchants have, however, published what they state to be copies or translations of those papers (the originals of which I believe were in French); and I inclose you a printed copy of that proclamation. I have reason to believe that they are not accurate; but as I cannot produce the originals, and as I wish to have every paper that can possibly afford information on the subject laid before the House of Commons, I have no objection to become myself the instrument of furnishing my accusers with the means of bringing under the consideration of the House every part of my conduct during my command in the West Indies. I beg leave to add, for your perusal, copy of an affidavit made by General Myers, to be used in the proceedings in the Court of Admiralty, as it states many material facts respecting the proceedings of his Majesty's forces in the capture of Martinique.

I have the honour to be, &c.

CHARLES GREY.

Hertford-Street, 20th May 1795.

Right Honourable Henry Dundas,
&c. &c. &c.

Procla.

Proclamations, and other Papers, issued by the British Commanders in the French West India Islands.

G. R.

Declaration inviting the Inhabitants to Submission.

January 1, 1794.

The Assembly, styling themselves the National Convention of France, having, in the said kingdom and its dependencies, exercised the most boundless and ferocious despotism, destroyed religion, government, and laws, violated all sorts of property, and to so many crimes added a declaration to plunge other nations into the same calamities, to overthrow their respective constitutions, and the fundamental principles of all civilized states; and, in order to attain their end, not satisfied with making use of dark manœuvres, incendiaries and secret emissaries have gone the length of committing overt hostilities, and declaring a non-provoked war against his Britannic Majesty and his allies; and his said Majesty having thereby been forced to have recourse to arms, and to pursue a just and necessary war for the protection of his subjects, the safety of his throne, the preservation of the British constitution, and the defence of his allies;

The King considering also, that, according to public notoriety, the said Convention and its adherents, among other atrocious projects, have conceived that of totally destroying the French colonies in the West India islands, a project which, in some places, they have executed under the most horrid circumstances, and by the most wicked and abominable means, and that, at the same time, they have manifested similar intentions against his Majesty's possessions in this part of the world;

In order, in the promptest and most efficacious manner, to check the execution of those designs, and to protect his own colonies from the misfortunes by which they are threatened, his Majesty, relying on the protection of Providence, the valour of his subjects, and the justice of his cause, has thought it convenient and necessary, by force of arms, to subdue the adherents of the aforesaid *pretended National Convention*, and to rescue the island of Martinico from the misfortunes and oppression under which it groans.

In consequence whereof, We the undersigned Commanders in Chief of his Britannic Majesty's land and sea forces, in the West Indies, by virtue of the powers, which from his Majesty we have received to that effect, invite all the friends of peace, government, religion, and order, in the island of Martinico, to shake off the yoke of a tyrannical oppression, and to shelter themselves from the horrors of anarchy, under the protection and government of a just and benevolent Sovereign.

And by the present, solemnly promise, grant, and insure to all those who, availing themselves of this invitation, in a quiet and peace-

able manner shall submit to the authority of the King, and put themselves under his Majesty's protection, personal safety, as well as a full and immediate enjoyment of all their lawful property, according to their ancient laws and customs, and on the most advantageous terms, those persons alone excepted whose removal should be found necessary for the safety of the island; and even to persons of this description, whatever may have been their conduct, we promise a safe conveyance to France, or any other place they may choose, without injury to the King's service: We further promise, that at the restoration of peace, the said island of Martinico shall enjoy all the commercial rights and privileges which are enjoyed by the colonies of his Britannic Majesty in the West Indies: We promise also, to all persons (the above-mentioned alone excepted) who, in the aforesaid manner, peaceably submitting, shall conduct themselves as good and lawful subjects of his Majesty, a full and unlimited amnesty for every act they may have committed under colour or pretence of any authority whatever, exercised previous to the publication of the present, securing them thereby against all prosecutions and molestations on account of acts proceeding from an authority unlawfully assumed.

All such persons as, in contempt of his Majesty's gracious and benevolent intention, should dare to oppose this declaration, shall be treated as enemies, and remain exposed to all the evils which the operations of war cannot fail to bring over their persons and property.

Given on board his Majesty's ship the *Boyne*, on the 1st of January 1794.

(Signed) CHARLES GREY, General.
JOHN JERVIS, Vice-Admiral.

By order of their Excellencies,

(Signed)

G. Fisher, }
Geo. Purvis, } Secretaries.

By Order of the Right Honourable Thomas Dundas,
Major General in his Britannic Majesty's Army, commanding the conquered Part of the North of this Island.

All merchants, captains of vessels, factors, and others, either French or foreigners, having in their possession, within the circumference of this town of St. Pierre, colonial productions and provisions, of whatever kind and quality, are hereby ordered, to-morrow morning, between eleven and twelve o'clock, to deliver, without fail, an exact, true, and verified specification thereof, to Mr. Baillie, at the head quarters, at the Intendant's hotel, under pain of imprisonment against the transgressors, and confiscation of the goods not declared; and the persons above mentioned must take care, in the said specification, to set down the name of the proprietors of the above
merchan-

merchandise, the warehouses where they are laid up, and the street where the said warehouses are situated.

At St. Pierre, Martinico, on the nineteenth of February, one thousand seven hundred and ninety-four.

THOMAS DUNDAS,
Major-General.

Declaration concerning the seized Goods.

All persons named hereafter, who, to the agents of the army and navy, have delivered signed specifications of the quantity of commodities, provisions, &c. &c. at this time actually existing in their different warehouses, are hereby informed, that, taking into consideration the decay and waste to which several articles included in the above specifications are subject, and the solicitations of the town and country with respect to provisions; we herewith grant them leave to dispose of the under-mentioned articles, and to sell them to whom they please, and at such a price as they think proper, on express condition, that they shall remain answerable to the said agents, and account, as often as shall be required, for the value thereof, at the rate hereafter mentioned, as it was fixed by Government, on the 26th of February last.

Given in the Head Quarters at St. Pierre, on the eleventh of March, one thousand seven hundred and ninety-four.

(Signed) W. MYERS,

Colonel, commanding his Britannic Majesty's
Forces in the town of St. Pierre, and its
dependencies.

GOD SAVE THE KING!

Articles, the Sale of which is permitted.

		Price fixed by Government.	
American Beef,	-	Liv. 99	B.
Salt Pork,	-	132	Ditto.
Cod Fish,	-	36	Ditto.
Herrings,	-	33	Ditto.
Mackerel,	-	25	Ditto.
Salmon,	-	50	Ditto.
Butter,	-	132	Ditto.
Hog's Lard,	-	100	Ditto.
Candles,	-	1 10	per lb.
Soap,	-	1 10	per lb.
Oil,	-	132	Cask
Wine, of the first quality,	-	330	Hogshead.
Wine, of the second,	-	264	Ditto.
Coast Wine,	-	198	Ditto.
4 E 2			Flour,

			Price fixed by Government.	
Flour,	-	-	Liv. 66	Barrel.
Rice,	-	-	36	Ditto.
Peas and Beans,	-	-	33	Ditto.
Biscuit,	-	-	41 5	Ditto.

Advertisement concerning the Sale of the seized Goods.

Ordered by the present, that a public sale of all the vessels, commodities, provisions, and other articles, which are already, or shall be seized in the island of Martinico, is to be held on the tenth of next April, and following days, to which the inhabitants of the different islands are herewith invited.

Persons, desirous of becoming purchasers, are hereby informed, that they will be obliged to deposit immediately 30 per cent. in specie, and that the remaining sum is to be paid, at latest, within the following twenty days, in ready cash, or bills of exchange, approved of by the agents of the army and navy.

St. Pierre, Martinico, March 18th, 1794.

MARTINICO.

PROCLAMATION.

Sir Charles Grey and Sir John Jervis, Commanders in Chief of his Britannic Majesty's land and sea forces in the Windward Islands, having resolved, that all the provisions, and other articles, heretofore declared to the agents of seizure, in the town of St. Pierre, shall be publicly sold for the profit of those who have seized them, all persons, having made such declarations are herewith ordered, as soon as the aforesaid agents shall desire it, to deliver up the provisions and other articles thus declared.—All persons, that have hitherto neglected to make similar declarations, are also ordered, at their risk and peril, to make them without any further delay.

Given, signed with my own hand, and sealed with my arms,
Head Quarters, on the tenth of April, one thousand seven hundred and ninety-four.

ROBERT PRESCOTT.

By order of the General,

B. Clifton, Secretary.

Proclamation, ordering, under pain of Confiscation, a distinct Declaration to be made of all Sorts of Goods.

By Order of their Excellencies, General Sir Charles Grey, and Admiral Sir John Jervis, Commanders in Chief of his Britannic Majesty's Fleets and Armies in the West Indies:

No attention has been paid to the Proclamation of the 10th instant, issued by His Excellency General Prescott, desiring all the good

good people of this colony to assemble in their respective parishes and quarters for the purpose of choosing persons of known intelligence and approved integrity, to represent them in an Assembly, which, according to the said Proclamation, was to be held at Fort Royal, Sunday the 18th instant, to meet the Commissaries appointed and duly authorised by the Commanders in Chief, and to confer with them on the most equitable and most expeditious way and means to raise a sum of money adequate to the value of the conquest, destined to reward the valour, to compensate the excessive fatigues, and, their consequences, sickness and mortality, and to make good the heavy expence, incurred by the British officers, soldiers, and sailors, who, with unshaken firmness, and matchless perseverance, have achieved the conquest of this island, subjected it to the British government, rescued from a wretched exile the greatest number of its inhabitants, and restored them to the *quiet possession of their property*, the confiscation of which had already been decreed:

And the procrastination of this general arrangement being the cause which prevents many well-disposed inhabitants from carrying their commodities to market, and procuring themselves what is necessary for their habitations, to the obvious prejudice of the whole colony:

The Commanders in Chief, in order to remove an evil of such importance, and which is daily increasing, enact and ordain as follows:

L.

The civil commissaries, each in his respective parish, are to draw up and deliver, as soon as possible, exact lists of the habitations situated in the said parishes, containing the number of slaves, cattle, acres of land, buildings, and plantations, an estimate of each of those objects, and a specification of all sorts of productions made and gathered on each estate, wherein ought to be distinguished those that, *bona fide*, had been made and collected before the 23d of last March.

II.

The civil commissaries in the parishes of the different towns and boroughs are likewise to draw up and deliver a list of the houses, slaves, and servants, to be found in the said towns and boroughs, stating the proprietors thereof, the yearly rent of each house, and enumerating all sorts of property, comprised under the denomination of goods, commodities, or merchandize, in the said towns and boroughs.

III.

The civil commissaries are also ordered in their respective quarters to demand the ledgers, and all account books, notes, and deeds, belonging to captains or agents of the French trade, as well as an exact account of all sorts of property falling under the description of vacant succession in each quarter of the colony, with a correct inventory of all the goods, effects, and chattels belonging to such persons

as have been taken arms in hand, or killed during the siege, or banished the island; and further, a specification of all property belonging to persons of any description whatever residing in France.

IV.

The civil commissaries are to name in their reports all persons, without exception, that should delay giving in the different specifications required, or be suspected of making a false declaration, or fail to give the usual assistance necessary for the exactness and impartiality of reports of that kind; it being the intention and wish that the intended levy be made in the most equitable manner, and in exact proportion with the means of each individual.

V.

The said reports are to be made with all possible expedition, so that on Saturday the 31st instant, or sooner, they may be delivered by the civil commissaries to the commissioners appointed to receive them, and who for this purpose will repair either to the Intendant's hotel at St. Pierre, or to the Governor's house at Fort Royal; the Commanders in Chief having, on their part, manifested their ardent wish to adopt the mildest measures, *declare herewith, that it is their firm resolution to have this present measure fully executed, or, on failure of it, to avail themselves of the power with which they are invested to order and enforce a general confiscation.*

Given under our signature, on board the Boyne, Fort Royal Bay, on the 21st of May, the year of our Saviour one thousand seven hundred and ninety-four, and the thirty-fourth year of his Majesty's reign.

(Signed)

CHARLES GREY,
JOHN JERVIS.

By order of their Excellencies,

(Signed)

G. Fisher,
G. Purvis.

Proclamation concerning the seized Goods.

The agents of seizures having represented to me, that at the sale of commodities seized at the town of St. Pierre, a considerable deficiency has been found in the quantities delivered, which, in their opinion, originates from the long space of time elapsed since the delivery of the specifications thereof; the inhabitants of the said town of St. Pierre are herewith ordered, next Monday morning the 28th instant, to deliver to the above agents an exact specification of the productions of the colony, at this time actually existing in their houses and warehouses, for which they are to remain answerable at their own peril and hazard. A general sale shall hereafter take place; and if it should then appear, that any goods have been concealed, those that are guilty thereof shall be severely punished.

AA

All such persons as have sold commodities, or non-manufactured tobacco, are also ordered to deliver, without any delay, to the agents of seizures, an account of the sums received.

St. Pierre, Martinico,
April 26th, 1794.

(Signed)

ROBERT PRESCOTT,
Lieutenant General.

By the Governor's order,

(Signed) *B. Clifton*, Secretary.

*Proclamation concerning the Appointment of a Deputy from every Parish,
for the purpose of regulating the Contribution.*

MARTINICO.

By his Excellency Robert Prescott, Esq. Lieutenant-General of his Britannic Majesty's Forces, Governor and Commander in Chief of the Island of Martinico, and its Dependencies.

The inhabitants of the different quarters of the island of Martinico are desired to meet in their respective parishes, for the purpose of choosing, by ballot, for their representative, an intelligent person of known integrity; and those deputies, after they are chosen, are requested to assemble next Sunday the 18th instant, in the town of Fort Royal, to meet the commissaries appointed by their Excellencies Sir Charles Grey, K. B. and Admiral Sir John Jervis, K. B. for the purpose of fixing, in an equitable and efficacious manner, a general contribution (the amount of which shall be made known to the representative of each parish) to be paid by all those who possess property in the colony; the Commanders in Chief having decided, that such an arrangement would be much more convenient than a general confiscation; other matters concerning the welfare of the colony will also be proposed to them.

Given at the Governor's house at St. Pierre, on the tenth of May, one thousand seven hundred and ninety-four, in the thirty-fourth year of his Majesty's reign.

(Signed)

ROBERT PRESCOTT.

By order of the General,

(Signed)

B. Clifton, Secretary.

COPY

COPY

Of General Myers' Affidavit.

In his Majesty's High Court of Admiralty of England.

William Myers, Brigadier General of his Majesty's forces in the West Indies, maketh oath, and saith, That he commanded a detachment of the army under the command of Sir Charles Grey, employed in the conquest of the island of Martinique, in the months of February and March 1794; and by that means became well acquainted with the conduct of the planters and principal inhabitants of the said island, and particularly those resident in the town of St. Pierre, and the country adjacent. And this deponent further saith, That on the 6th day of February 1794, Sir Charles Grey and Sir John Jervis, as Commanders in Chief of his Majesty's land and sea forces, sent a summons, addressed "To the Mayor, Presidents of the Municipalities, and Citizens of the town of St. Pierre, and the Commandant of the Troops," requiring them to surrender upon the terms offered in the proclamation issued by the said Commanders in Chief, dated 1st January 1794. And this deponent further saith, He is informed and believes, that the aid-de-camp sent with the said summons to the town of St. Pierre was not admitted into the town; and that the mayor of the said town gave the watch-word or signal for resistance. And this deponent saith, That great resistance was made to the British forces in all their attacks upon the said island, both by the French military force, and the planters and other inhabitants; and that no description of the inhabitants of the said island, to the knowledge or belief of this deponent, joined or gave any assistance to his Majesty's forces in their attack upon the said island, or during their progress in the conquest thereof; nor did any of such inhabitants signify an intention or desire to accept or claim the terms and protection offered by the said proclamation of the 1st of January 1794: But, on the contrary, all the planters and other inhabitants, in different towns, villages, and other parts of the island, through which this deponent and the troops under his command passed, made all the resistance in their power to his Majesty's forces, and supported the French forces, and assisted in manning and working the forts and batteries erected for the defence of the said island. And this deponent further saith, That on the 8th day of February 1794, he, this deponent, and Colonel Sir Charles Gordon, and Captain Rogers, with the detachment under their command, landed upon the said island, near a place called La Jus, near Cas Pilote, the enemy at the time firing on them from the battery, and being, at that time, master of the great road and the heights above it; and this deponent, and the said Sir Charles Gordon, with the troops under their respective commands, made a movement towards the mountains, and turning round the French force unperceived, with part of the British forces, gained the most commanding point in that part of the country by day-break of the 9th day of the said month of February; and this deponent,

deponent, with his said troops, descending the heights, took possession of La Chapelle, and a post established by the enemy above it; and upon this deponent's returning to the British columns of troops, it proceeded through very difficult ground to the heights of Berne, above Auce la Haye, the enemy abandoning the batteries of Cayman, and setting fire to the village of Cas Navierres, and keeping a constant fire on this deponent and his said troops from the battery of St. Catherine's. And this deponent further saith, That having taken a position which gave him an easy communication with the British transports, on the 12th of the said month of February, this deponent observed the batteries and works of St. Catherine's, and the posts which guarded the first ravines, were abandoned by the enemy, of which the said Sir Charles Gordon took possession, whilst this deponent, with a detachment of troops, crossed four ravines higher up, and seized all the batteries which defended them. And this deponent saith, That the said movement was so successfully complete, that the enemy retreated on every side, and the troops under this deponent's command soon took possession of the five batteries between Cas de Navierre and Fort Royal; and the said Sir Charles Gordon and this deponent, with the troops under their command, then proceeded to and occupied the posts of Gentilly, La Cote, and L'Archit. And this deponent further saith, That he hath been informed, and believes, that the bay and harbour of Fort Royal had been opened to the shipping under the command of Sir John Jervis by the capture of Pigeon Island: Sir Charles Grey, with the forces under his command, moved forward from Riviere Salce to the post of Brumeaux, and joined Lieutenant General Prescott on the 14th day of the said month of February 1794; and having, as this deponent believes, previously concerted the attack of the town of St. Pierre with Major General Dundas, the said Major General marched the same evening on that enterprise, and took post at Gros Morne, from whence he detached Colonel Campbell with some troops through the woods of Bois le Buc to reach Montigue on the morning of the 16th of February, and proceeding himself towards the heights of Capot and Calebasse, they were evacuated by the enemy; and from the heights of Calebasse Major General Dundas, as this deponent was informed, saw Colonel Campbell at Port au Pin attacked in great force, and under a heavy fire from five or six hundred of the enemy strongly posted. And this deponent further saith, That Major General Dundas, as this deponent was informed, pushed forward his advanced guard under the command of the Hon. Captain Ramsay, who gained the summit by extraordinary exertions, and fired on the enemy, who were engaged with Colonel Campbell, and silenced their fire; and when joined by additional troops the detachment took possession of Montigue, and Major General Dundas took post on Morne Rouge. And this deponent further saith, That he hath been informed, and believes, that on the morning of the 16th day of the said month of February, Major General Dundas observing large bodies of the enemy moving towards his front at Morne Rouge, and forming under a small redoubt near that post, he hasten-

ed back, and was instantly attacked by five or six hundred men, when, as this deponent believes, Colonel Campbell was killed. And this deponent further saith, That he hath been informed, and believes, that the two columns of troops, destined for the attack of St. Pierre, advanced by day-break of the 17th of February, the right to La Jenne, the left to the colonial redoubt; and on the march, Major General Dundas, as this deponent has been informed, received a letter from the commandant at St. Pierre, to which he returned an answer by a flag: But the commandant was not to be found, and in the mean time Colonel Symes had landed at Precheur with some troops near the town of St. Pierre, and entered the town sword in hand; prior to which, a detachment of two companies had been sent by this deponent, who had obtained possession of the said town; which attack of Colonel Symes had been made agreeable to the plan originally concerted for co-operation with Major General Dundas and this deponent. And this deponent further saith, That in the course of his said march from La Jus to La Coste, and from La Coste to St. Pierre, he did not find any of the planters and other inhabitants of the country; but believes they had joined or were assisting the French forces, or were otherwise employed in resisting the British. And this deponent further saith, That in the course of his said march he made particular searches and inquiries for planters or other inhabitants, in order to obtain information, and the assistance of horses and cattle; but this deponent could not meet with any planters or other inhabitants, except women and female negroes, who were the only persons left upon the plantations. And this deponent further saith, That in the course of his said march he passed through a large village called Cas Pilot, and other smaller villages, which he found totally deserted by all the inhabitants, except women and female slaves. And this deponent further saith, That several forts, batteries, redoubts, and other places, taken by the forces sent to attack the town of St. Pierre, were defended by persons firing on the troops landing. And this deponent further saith, That a great number of the inhabitants of St. Pierre were employed in manning and defending the forts, batteries, and other places of defence and resistance surrounding and adjacent to the said town, at and previous to the capture thereof, as he has been informed, and verily believes. That during the whole of this deponent's said march from La Jus, and the attack made upon the said town of St. Pierre, none of the planters or other inhabitants of the said island, including those of St. Pierre, ever claimed or intimated the smallest wish or intention to accept the terms and protection offered by the said proclamation of the 1st of January 1794. And this deponent further saith, That he commanded his Majesty's forces at St. Pierre, from the capture thereof until the latter end of March 1794, during which time all the property seized and taken on shore at St. Pierre as prize or booty, or as liable to confiscation, was taken, and returns thereof made to the agents for the captors. And this deponent further saith, That no complaints were ever made to this deponent, as commandant of the said forces, nor did he hear of any complaint being made to any other

other person or persons, that any goods had been taken or seized by the captors, belonging to persons who were entitled to the protection and benefit of the said proclamation; nor did this deponent ever hear of any of the inhabitants of St. Pierre, or other inhabitants of the said island, claim or assert that they were entitled to the benefit thereof; on the contrary this deponent saith, that such had been the universal resistance made by the inhabitants of the said island to his Majesty's forces, that he verily believes they did not consider themselves entitled to claim the benefit of the said proclamation. And this deponent further saith, That no claims were made or set up to property taken on shore by or on the behalf of emigrants or persons who were absent from the said island, to this deponent's knowledge or belief. And this deponent further saith, That the property so taken on shore from individuals consisted entirely of the produce of the island; and the principal part thereof was either taken from persons styling themselves agents of the French republic, or had been produced upon estates in the possession of persons of that description, as he believes. And lastly, this deponent saith, That the town of St. Pierre having been taken in the manner before stated, and the inhabitants having rejected the summons of the Commanders in Chief, inviting them to accept the protection and terms offered by the said proclamation of the 1st January 1794, and having resisted the British forces to the utmost of their power, the captors considered the property found in the said town as liable to confiscation; but they confined the seizure thereof to the produce of the island only, and the inhabitants were left in the uncontrouled possession and disposal of every other species of property: And that the inhabitants of the said town did not, as this deponent believes, consider themselves as unjustly or severely treated, or as being deprived of their property in breach of the terms of the said proclamation, or of any other terms or conditions to the benefit of which they were entitled.

(Signed)

W. MYERS.

Sworn before me, at Portsmouth,
in the county of Southampton,
the 1st day of May 1795.

W. GIBBS, jun.
Commissioner.

In the presence of
M^r GREETHAM, jun.
Notary Public.

COPY

Of an Affidavit of Marie Josephe Roignan; together with a Copy of several Papers relating thereto: Extracted from the Registers of the Supreme Council of Martinique.

In the High Court of Admiralty of England.

(COPY.)

MARTINIQUE.

Claim of Michel Mallepine.

Appeared personally *Marie Josephe Roignan*, born *le Massif*, formerly of the island of Martinique, but now residing in Adam-street, near Portman-square, in the county of Middlesex; and, by interpretation of Robert Slade, Notary Public, made oath, That she is the wife of *Pierre Simon Roignan*, the Principal Register of the Sovereign Council of the said island of Martinique; and having now carefully viewed and perused the attestation appearing at the foot or bottom of the paper writing hereto annexed, marked (A), and the name *Roignan* thereto subscribed, she saith, that the said attestation and name are of the proper hand-writing and subscription of her said husband,

LE MASSIF ROIGNAN,
ROBT SLADE.

29th day of May 1795.

The said Marie Josephe Roignan was duly sworn to the truth of this affidavit,

Before me,

J. Fisher, Surrogate.
Per *James Bush*, N. P.

The foregoing is a true copy of an affidavit of Marie Josephe Roignan, born *le Massif* (wife of Pierre Simon Roignan) now remaining in my possession.

Which I attest.

Doctors' Commons,
30th May 1795.

James Bush, Notary Public,

(COPY.)

(A.)

Translated from the French.

Extracted from the Registers of the Supreme Council of Martinique.

This day the Procureur General of the King has transmitted to the Office of the Court, and required the registration of the Declaration circulated in the colony upon the arrival of the British army which

which has made the conquest thereof; and of the Supplement to the said Declaration signed by the General and Admiral Grey and Jervis, and dated the 1st of January. The whole being read by the Principal Register, the Court orders that the Declaration and Supplement, dated as above, circulated in the colony by Generals Grey and Jervis, be registered among the records in the registry, that reference may be thereunto had. Here follows the Declaration, and Supplement thereunto:—

The Assembly, styling themselves the National Convention of France, having, in the said kingdom and its dependencies, exercised the most boundless and ferocious despotism, destroyed religion, government, and laws, violated all sorts of property, and to so many crimes added a declaration to plunge other nations into the same calamities, to overthrow their respective constitutions, and the fundamental principles of all civilized states; and, in order to attain their end, not satisfied with making use of the manœuvres of incendiaries and secret enemies, have proceeded to hostilities, and a non-provoked declaration of war against his Britannic Majesty and his allies; and his said Majesty having thereby been forced to have recourse to arms, and to pursue a just and necessary war for the protection of his subjects, the safety of his throne, the preservation of the British constitution, and the defence of his allies; the King considering also, that, according to public notoriety, the said Convention and its adherents, among other atrocious projects, have conceived that of totally destroying the French colonies in the West India islands; a project which, in some places, they have executed under the most horrid circumstances, and by the most criminal and detestable means; and that, at the same time, they have manifested similar intentions against his Majesty's possessions in this part of the world: In order, in the promptest and most efficacious manner, to check the execution of these designs, and to protect his own colonies from the misfortunes with which they are threatened, his Majesty, relying on the protection of Providence, the valour of his subjects, and the justice of his cause, has thought it fit and necessary, by force of arms, to subdue the adherents of the aforesaid pretended National Convention, and to rescue the island of Martinico from the misfortunes and oppression with which it is threatened: In consequence whereof we, the undersigned Commanders in Chief of his Britannic Majesty's sea and land forces in the West Indies, by virtue of the powers which from his Majesty we have received to that effect, invite all the friends of peace, government, religion, and order, in the island of Martinico, to shake off the yoke of a tyrannical oppression, and to shelter themselves from the horrors of anarchy, under the protection and government of a just and benevolent sovereign: And by the present, solemnly promise, grant, and insure to all those who, availing themselves of this invitation, in a quiet and peaceable manner shall submit to the authority of the King, and put themselves under his Majesty's protection, personal safety, as well as a full and immediate enjoyment of all their lawful property, according to their ancient laws and customs, and on the most advantageous terms, those persons alone excepted
whose

whose removal should be found necessary for the safety of the island; and even to persons of this description, whatever may have been their conduct, we promise a safe conveyance to France, or any other place they may choose, without injury to the King's service: We further promise, that at the restoration of peace, the said island of Martinico shall enjoy all the commercial rights and privileges which are enjoyed by the colonies of his Britannic Majesty in the West Indies: We promise also, to all persons (the above-mentioned alone excepted) who, in the aforesaid manner, peaceably submitting, shall conduct themselves as good and lawful subjects of his Majesty, a full and unlimited amnesty for every act they have committed under colour or pretence of any authority whatever, exercised previous to the publication of these presents, securing them thereby against all prosecutions and molestations on account of acts proceeding from an authority unlawfully assumed. All such persons as, in contempt of his Majesty's gracious and benevolent intention, should dare to oppose this proclamation, shall be treated as enemies, and remain exposed to all the evils which the operations of war cannot fail to bring over their persons and property.

Given on board his Majesty's ship the *Boyne*, on the 1st of January 1794.

(Signed)

CHARLES GREY, General.
JOHN JERVIS, Vice-Admiral.

By order of their Excellencies,

(Signed)

Gerrit Fisher, } Secretaries.
George Purvis, }

SUPPLEMENT.

The Generals of his Britannic Majesty being desirous to prevent by all possible means, the effusion of blood, and not to leave the inhabitants of the French islands in America any doubt respecting their intentions, have thought proper to publish what follows, by way of supplement to their manifesto.

ARTICLE I.

Since they cannot be ignorant that there exists a great deal of animosity between the emigrants from the French islands in America; and such of the inhabitants as have remained there, an animosity which would induce them to pursue each other with hatred, and retard the re-establishment of peace, the Generals of his Britannic Majesty have judged it necessary to prohibit every emigrant from returning to any one of the said islands before its entire reduction; requiring thereafter a conduct perfectly quiet, and engaging to protect none but the peaceable inhabitants.

II.

The Generals of his Britannic Majesty promising all succour and protection to the colonists who shall remain peaceably at their habitations;

tations; but they have also determined to treat as prisoners of war, and to send immediately to St. Malo's in a flag of truce, to be exchanged, all colonists who in contempt of this declaration shall be taken with arms in their hands; proclaiming to them that they will encounter the pain of death, if after their removal they shall ever be found in any of the Windward Islands.

III.

General Rochambeau having promised their liberty to those slaves who should take up arms for the defence of Martinique, and the Generals of his Britannic Majesty feeling the impossibility of distinguishing these brigands from the people of colour born free or lawfully freed, they have thought proper to forewarn all the people of colour, without distinction, that such of them as shall be found armed, or who in any engagement shall have escaped the bayonet of the British troops, shall be treated as slaves, and immediately transported to the Coast of Africa, where they shall be abandoned to their fate; promising moreover an entire amnesty to those who shall come and surrender themselves at the camp, and to those also who shall retire to their respective habitations, and peaceably resume their labour.

Given on board his Britannic Majesty's ship the *Boyne*, the 1st of January 1794.

(Signed)

CHARLES GREY, General.
JOHN JERVIS, Admiral.

By their Excellencies,

Gerrit Fisher,
George Purvis.

Done in the Sovereign Council of Martinique, Thursday the twenty-fourth of April, one thousand seven hundred and ninety-four.—The present copy was delivered to Mr. Coppens by me, the Principal Register of the Sovereign Council of Martinique, this twenty-third of February, one thousand seven hundred and ninety-five.

ROIGNAN.

Faithfully translated from the French at Doctors' Commons, London, this 30th day of May 1795.

Which I attest.

Rob. Slade, N. P.

END OF THE THIRD VOLUME.

